

Burlington Development Review Board

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Vacant, (Alternate)



BURLINGTON DEVELOPMENT REVIEW BOARD

Tuesday, June 6, 2023, 5:00 PM

PUBLIC HEARING NOTICE

Hybrid & In Person (at 645 Pine Street) Meeting

Zoom: <https://us02web.zoom.us/j/83225696227?pwd=SGQ0bTdnS000Wkc3c2J4WWw1dzMxUT09>

Webinar ID: 832 2569 6227

Passcode: 969186

Telephone: US +1 929 205 6099 or +1 301 715 8592 or +1 312 626 6799 or +1 669 900 6833 or
+1 253 215 8782 or +1 346 248 7799

1. Joint Institutional Parking Management Plan

Review of proposed 2023-2028 Plan.

2. ZP-23-164; 75 Cherry Street (FD6, Ward 3C) CityPlace Partners, LLC / Jesse Robbins

Amendment to ZP-21-0414; revisions to level 9 & 10 related to additional dwelling units; addition of balconies.

Plans may be viewed upon request by contacting the Department of Permitting & Inspections between the hours of 8:00 a.m. and 4:30 p.m. Participation in the DRB proceeding is a prerequisite to the right to take any subsequent appeal. Please note that ANYTHING submitted to the Zoning office is considered public and cannot be kept confidential. This may not be the final order in which items will be heard. Please view final Agenda, at www.burlingtonvt.gov/dpi/dr/ agendas or the office notice board, one week before the hearing for the order in which items will be heard.

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AGENDA

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- I. Agenda**
- II. Communications**
- III. Minutes**
- IV. Public Hearing**

- 1. ZP-23-33; 120 Depot Street (RM-W, Ward 3C) Andrea Trombley / Steve Trombley**
Continued review of height variance request up to 60 ft. (Project Manager, Scott Gustin)
- 2. ZP-23-164; 75 Cherry Street (FD6, Ward 3C) CityPlace Partners, LLC / Jesse Robbins**
Amendment to ZP-21-0414; revisions to level 9 & 10 related to additional dwelling units; addition of balconies. (Project Manager, Mary O'Neil)
- 3. Joint Institutional Parking Management Plan**
Review of proposed 2023-2028 Plan. (Project Manager, Scott Gustin)

V. Certificate of Appropriateness

- 1. ZP-23-205; 655 Spear Street (I, Ward 6S) University of Vermont / State Agricultural College / Claire Forbes**
Proposed construction of a parking lot (162 spaces) following the demolition and removal of the BioResearch Laboratory building. (Project Manager, Mary O'Neil)

VI. Adjournment

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To: Scott Gustin
From: Josh Katz, Program Analyst, CATMA
Sandy Thibault, Executive Director, CATMA
Date: May 10, 2023
Re: Submission of Joint Institutional Parking Management Plan (JIPMP) to DRB

On behalf of CATMA and our partnering institutions, we are pleased to submit the final 2023-2028 Joint Institutional Parking Management Plan (JIPMP) and Supplement, which we will present to the Burlington Development Review Board (DRB) on June 6, 2023. This is the first iteration of the JIPMP responding to the City's updated Comprehensive Development Ordinance (CDO) eliminating minimum parking requirements that was adopted January 25, 2023. As such, the intent of this report is no longer to request a parking waiver from the City of Burlington, but rather to demonstrate the Institutions' ability to meet the goals as outlined in Section 8.3.1 of the CDO:

- a. Ensure that city streets in nearby neighborhoods are not unfairly burdened by parking demands from post-secondary educational or medical institutions; and,
- b. Recognize the unique ability of institutions to manage their own parking resources in a comprehensive and creative way.

CATMA and our project consultant, VHB, presented the 2023-2028 JIPMP to the Planning Commission on April 25 and on May 9. We responded to some questions from City staff on this report, and also further discussed and addressed the following questions from Planning Commission meetings:

- 1.) **Margin of Error.** UVM's high margin of error can be attributed to the low number of total responses from UVM affiliates to CATMA's Fall 2022 Transportation Survey. In the past, the CATMA survey was issued to all UVM students and employees, and in 2021 the CATMA survey methodology transitioned to a random sample of 1,000 students and 1,000 employees which was the case for our 2022 Survey. This was a result of a policy change for surveys at UVM's Office of Institutional Research and Assessment.

While the Margin of Error is high for UVM's parking demand estimate (1,000+ spaces), CATMA and VHB are confident that the actual demand number is on the lower end of that confidence interval due to the trend of the lot utilization counts that have been occurring since 2019. These counts show a parking surplus of 1,357 spaces with a margin of error of 217. It is noted that the lot count margin of error is conservative as it accounts for the full year's quarterly parking count data and would be even lower if the summer count data included in the calculation were aligned with the in-semester count data. While neither of the estimates (i.e. survey demand or lot count utilization methods) perfectly demonstrate demand, CATMA is confident that UVM has an excess of parking to meet current and future demand.

- 2.) **Efficiency Based Standards.** CATMA has also provided more context and an example of efficiency based standards (p. 20).

CATMA will provide annual updates to this 2023-2028 JIPMP to continue monitoring parking utilization on campus to ensure parking supply meets the institutional demand.

We look forward to presenting this plan to the DRB along with Karen Sentoff at VHB, our project consultant.

Chittenden Area Transportation Management Association

20 West Canal St, Suite C9 Winooski, VT 05404
802-881-0283 | info@catmavt.org | catmavt.org



CHAMPLAIN
COLLEGE



The University of Vermont

THE
University of Vermont
MEDICAL CENTER

Joint Institutional Parking Management Plan

2023-2028

Prepared For: Development Review Board

Date: June 6th, 2023



Acknowledgements

Institutional Partners

Champlain College

Nic Anderson	Senior Director of Planning and Operations
Eliana Fox	Sustainable Transportation Coordinator



University of Vermont

Lani Ravin	Associate Planner
Lisa Kingsbury	Associate Director of Planning
Abby Bleything	Sustainable Transportation Program Manager
Taylor Page	Business Manager
Claire Forbes	Associate Planner
James Smith	Director of Transportation and Parking Services



University of Vermont Medical Center

Ashley Bond	Director of Real Estate
Mike-Ann Young	Director Security, Parking and Transportation



Chittenden Area Transportation Management Association

Sandy Thibault	Executive Director
Joshua Katz	Program Analyst



Consultant Team

Karen Sentoff	VHB
Elisabeth Sundberg	VHB
Jenn Conley	VHB



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Executive Summary

The Joint Institutional Parking Management Plan (JIPMP) submitted demonstrates current and anticipated parking demand for Burlington’s “Hill” Institutions to meet the requirements set forth in Article 8 of the Comprehensive Development Ordinance. Comprised of Champlain College, University of Vermont (UVM), and University of Vermont Medical Center (UVMMC), the “Hill” Institutions’ parking supply and demand are summarized within this 2023-2028 JIPMP based on data gathered during the Fall of 2022. This assembled data informs the analysis that demonstrates that the existing parking supply meets current demand for each institution. In addition, anticipated development and growth on each campus informs the anticipated parking supply and demand out to 2028, with a 5-year projection that coincides with the anticipated approval interval of this document.

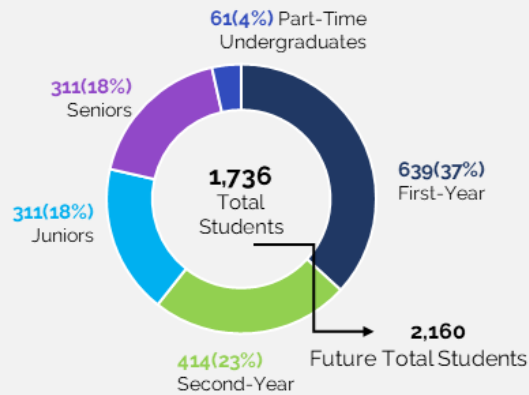
Each institution’s current and anticipated infrastructure, user populations, parking demand, fleet, and strategies to keep parking supply and demand in balance are summarized below as outlined in Article 8. These facts and figures are further detailed within the report and supplemental documentation.

CHAMPLAIN FACT SHEET

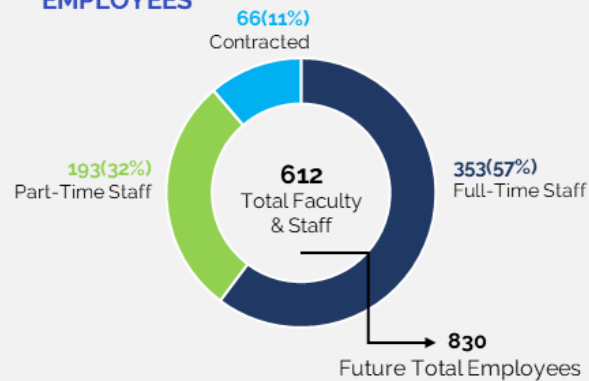


**CHAMPLAIN
COLLEGE**

STUDENTS



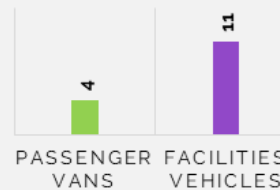
EMPLOYEES



CURRENT PEAK PARKING DEMAND

642	741	427	833
Total Parking Supply	Estimated Demand (based on Survey ¹)	Utilization (based on Counts)	ITE Estimate ²

FLEET VEHICLES



15 Fleet Vehicles

- All Fleet Vehicles parked in designated spaces

FUTURE DEVELOPMENT



39,000 gsf (approx.) will be added with future development projects and 30 residential beds

Future Projects

- Foster Hall Addition
- New ITS Building
- Conversion of Building to Residential Hall

NOTEWORTHY POLICIES



- New Interim Workplace Flexibility People Center effective in 2022
- Sustainability Action Plan completed in 2013
- Active Transportation Plans effective in 2015
- Parking Policies effective in 2017
- Sustain Champlain Campaign

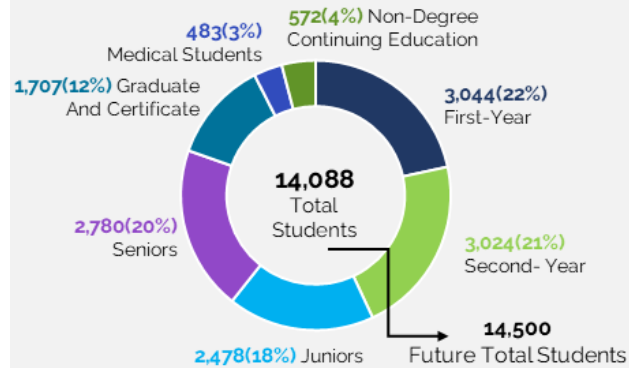
1. Estimated parking demand based on survey of employees and students reporting predominantly driving alone or carpooling to serve their transportation to campus and typically on campus at peak time, thus likely overestimating actual peak parking demand.
2. Estimated parking generation based on the total campus population fitted to the curve for a sample of institutions from the Institute of Transportation Engineers *Parking Generation Manual 5th Edition*.

UVM FACT SHEET

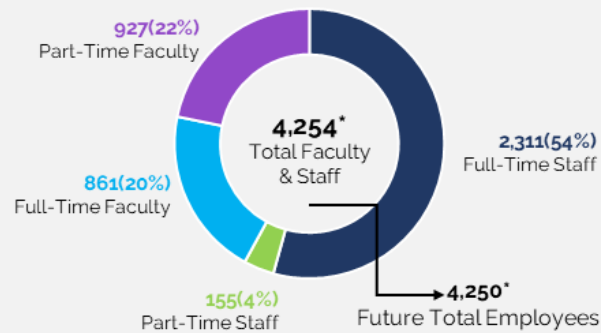


The University of Vermont

STUDENTS



EMPLOYEES



* This includes 230 Non-Burlington Employees

CURRENT PEAK PARKING DEMAND

4,865

Total Parking
Supply

4,943

Estimated Demand
(based on Survey¹)

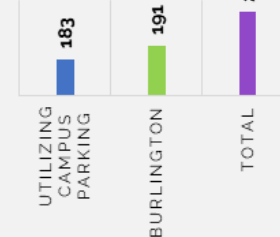
3,508

Utilization
(based on Counts)

4,852

ITE
Estimate²

FLEET VEHICLES



- Eco Friendly Fleet Procedures adopted in 2019
- Majority of Fleet Vehicles parked in Designated Spaces

FUTURE DEVELOPMENT



638

Parking spaces will be added with future development projects

Largest Parking Contributors

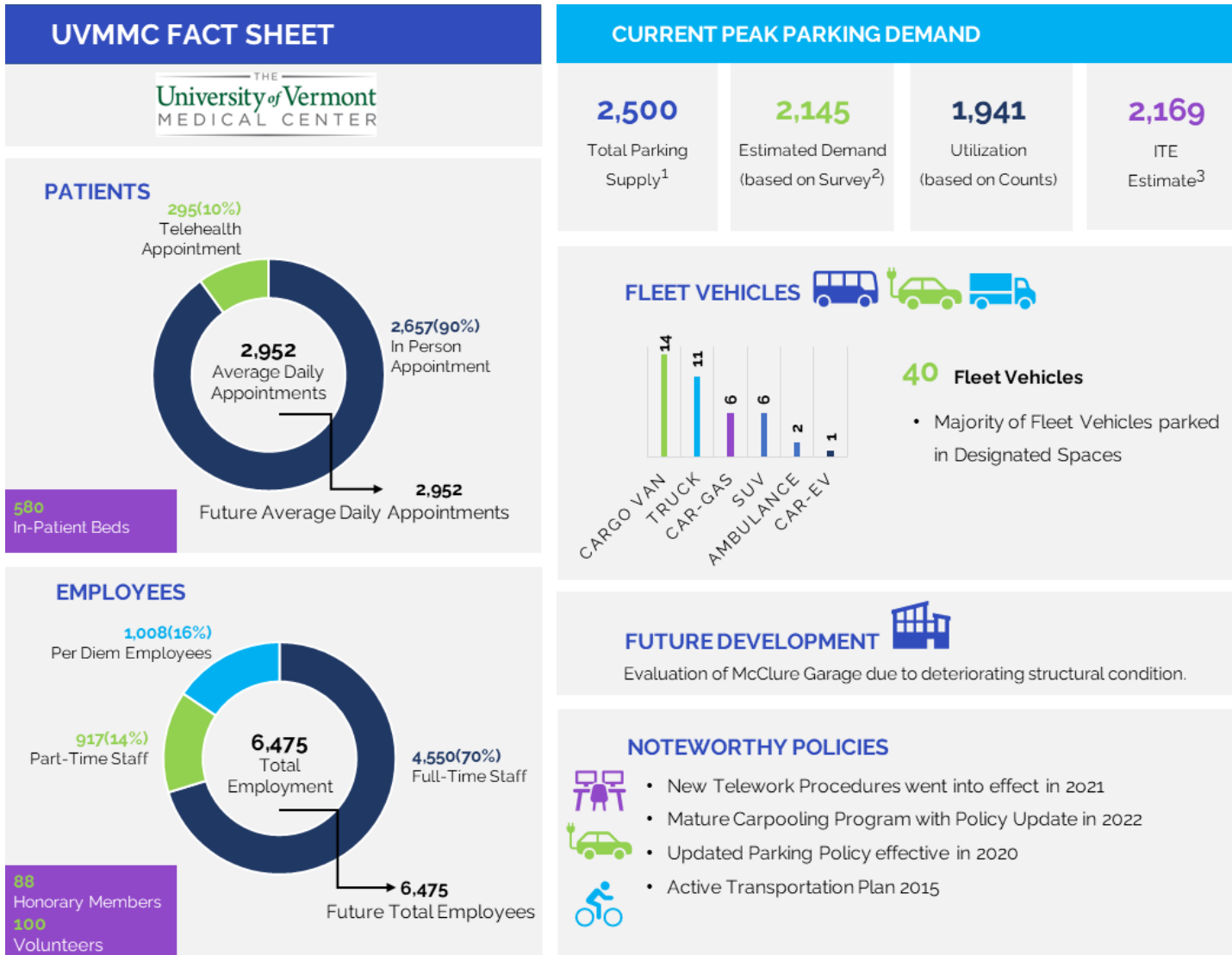
- Colchester Research Facility
- Bioresearch Complex Parking
- Centennial Compound

NOTEWORTHY POLICIES



- Comprehensive Sustainability Plan released April 2023
- New Telework Procedures went into effect in 2021
- UVMoves Active Transportation Plan 2017
- Facilities Sustainability Plan 2021
- Green Fleet Vehicle Procurement Procedures 2019

- Estimated parking demand based on survey of employees and students reporting predominantly driving alone or carpooling to serve their transportation to campus and typically on campus at peak time, thus likely overestimating actual peak parking demand.
- Estimated parking generation based on the total campus population fitted to the curve for a sample of institutions from the Institute of Transportation Engineers *Parking Generation Manual 5th Edition*.



1. Total parking supply based on on-site parking spaces.
2. Estimated parking demand representing on-site parking based on survey of employees reporting predominantly driving alone or carpooling to serve their transportation to campus, typically on campus at peak time, and parking in on-site lots during peak times.
3. Estimated parking generation based on the number of in-patient beds sampled from the average trip rate for similar institutions from the Institute of Transportation Engineers *Parking Generation Manual 5th Edition*.

1

Introduction

The Joint Institutional Parking Management Plan (JIPMP) is submitted to the Planning Commission and Development Review Board to demonstrate current and anticipated parking demand for Burlington’s “Hill” Institutions to meet the requirements set forth in Article 8 of the Comprehensive Development Ordinance. Burlington’s “Hill” Institutions, comprised of Champlain College, University of Vermont (UVM), and University of Vermont Medical Center (UVMHC), are the founding members of the Chittenden Area Transportation Management Association (CATMA). CATMA has submitted Joint Institutional Parking Management Plan and annual updates to the City of Burlington on behalf of the “Hill” Institutions since 2009. This JIPMP may be approved by Burlington’s Planning Commission and Development Review Board (DRB) for a period of up to five years with annual updates reported to the City’s Office of City Planning and Department of Permitting & Inspections.

This introductory chapter summarizes the purpose and content of the JIPMP and provides a high-level overview of CATMA and their role in jointly supporting institutional transportation management.

Purpose & Content

The Joint Institutional Parking Management Plan advances the intent of PlanBTV by demonstrating the commitment of the Institutions to grow sustainably in support of the vision of Burlington as a *distinctive city*¹. Recognized for their contributions to the *unique economic identity* of the City as a center for education and healthcare, the Institutions serve a key role in advancing

¹ [Plan for Action](#) | [planBTV: Burlington's Comprehensive Plan \(arcgis.com\)](#)

the core principles of PlanBTV by planning for well-connected, human-scale environments that integrate new development with the existing campus character. More specifically, the 5-Year JIPMP and its annual updates are intended to:

- › Recognize the need to manage parking demand and resources holistically and creatively, employing transportation demand management (TDM) practices as well as supplying adequate parking facilities;
- › Recognize the efficiencies gained when several neighboring institutions share resources and collaboratively participate in parking and TDM programs; and,
- › Ensure that city streets in nearby neighborhoods are not unfairly burdened by parking demands from post-secondary education or medical institutions.

Based on the City of Burlington's Comprehensive Development Ordinance Article 8 Section 8.3.3², *an Institutional Parking Management Plan shall include the following:*

- (a) *A narrative that outlines how the proposed parking management plan addresses the specific needs of existing and anticipated development and effectively satisfies the intent of this Article and the goals of the Municipal Development Plan.*
- (b) *Information specifying the current and anticipated numbers over the ensuing 5 year period for: number of students of all academic programs (full-time, part-time, commuter, on-campus, off-campus, and continuing education), faculty and staff (full-time and part-time), patients and visitors being served by the institution.*
- (c) *An analysis of the anticipated parking demand by user group, time of day and/or demand by use and parking provided to meet that demand currently and anticipated over the ensuing five-year period;*
- (d) *Information specifying the number and composition of the institution's vehicle fleet, where these vehicles are regularly kept, and designated "service vehicle-only" parking;*
- (e) *Strategies used to reduce or manage the demand for parking which may include but are not limited to:*
 - 1. *Policies which restrict and/or prohibit the bringing of vehicles to the institution for various users or groups of users;*
 - 2. *A telecommuting program;*
 - 3. *Programs and employee and student subsidies to encourage the use of public transit, car-share, walking, and bicycling;*

² [Zoning Ordinance | City of Burlington, Vermont \(burlingtonvt.gov\)](#)

4. *Implementation of a shuttle service system serving off-site parking;*
5. *Implementation of a parking permit system to allocate parking throughout the system; and,*
- (f) *Implementation of a monitoring, compliance and enforcement system to measure and ensure compliance with the plan.*

In order to convey the documented purpose, meet the requirements of the ordinance, and satisfy the intent of Article 8, the JIPMP is organized into chapters summarizing the parking management environment collectively for the institutions and individually for each institution. In an effort to streamline the content of this document, each institutional chapter contains the elements outlined in the ordinance above. The chapters are organized into existing and anticipated infrastructure and development (Section 8.3.3 (a)), existing and anticipated community population (Section 8.3.3 (b)), existing and anticipated parking demand (Section 8.3.3 (c)), fleet characteristics (Section 8.3.3 (d)), highlighted strategies (Section 8.3.3 (e)), and monitoring, compliance, and enforcement (Section 8.3.3 (f)). In addition, a *JIPMP Institutional Supplement* includes further detail but is not essential to the document.

CATMA

Originally established in 1992 by the “Hill” Institutions and expanded in 2015 to serve as a regional transportation management association, CATMA has served Chittenden County with transportation demand management services, incentives, and programs for over 30 years. CATMA’s mission is to work with members and community partners to plan and manage safe, convenient, and economical transportation and parking options with the aim of reducing environmental impacts and improving coordination of land use. More information on CATMA can be found at catmavt.org.

Transportation Management Associations (TMA)

TMAs are associations, organizations, or cooperatives that provide transportation services and education to businesses, property owners, residents, and employees in a defined geographic area, combining their efforts to expand transportation options and reduce program costs. They are not-for-profit collaborations of private and public sector entities working together towards common goals, such as congestion mitigation, transportation services and pollution reduction.

Transportation Demand Management (TDM)

The term *transportation demand management* means the use of strategies to inform and encourage travelers to maximize the efficiency of a transportation system, leading to improved mobility, reduced congestion, and lower vehicle emissions, including strategies that use planning, programs, policies, marketing, communications, incentives, pricing, data and technology."³

³ Association for Commuter Transportation. 2023, "What is TDM?" [What is TDM - Association for Commuter Transportation \(actweb.org\)](https://actweb.org/what-is-tdm/)

2

Collective Institutional Summary

Each of the institutions' parking supply and demand are summarized within based on data gathered during the Fall of 2022. This assembled data informs the analysis that demonstrates that the existing parking supply meets current demand for each institution. In addition, information regarding the anticipated development and growth on each campus informs the anticipated parking supply and demand out to 2028, a time horizon of approximately 5 years. The 5-year projections coincide with the anticipated approval interval of this document.

The intent of the JIPMP, and parking management planning more generally, is to demonstrate the policies and programs that enable utilization of parking resources more efficiently. For the institutions, this has and continues to entail many strategies employed collectively, through CATMA and agreements among the institutions, as well as individually, to best utilize resources given the transportation mobility and parking needs of each institution's population.

Peak Parking Demand

Two primary methods were used to estimate the current peak parking demand for each institution: count and survey data. The methods employed have been utilized previously and are referenced in the *2020-2022 JIPMP*⁴. As has been noted in previous

⁴ CATMA, *2020-2022 Joint Institutional Parking Management Plan*, Appendix A. https://catmavt.org/sites/default/files/uploads/2020-2022_jipmp.pdf

JIPMP documents, there are limitations to both methods of estimating parking demand, however, it is reasonable to assume that these two methodologies provide low and high estimates to represent the book ends of actual peak parking demand on each campus. It is noted that previous JIPMP documents had fewer counts to rely on, however, the representation of peak utilization via count data is considered reliable given the count programming that has been instituted.

Table 1 Current Institutional Parking Demand Summary

	Champlain College	UVM	UVM Medical Center
Current Conditions			
Potential Users¹	2,348	17,540	9,427
Peak Parking Demand Survey	741	4,943	2,145
Peak Parking Utilization Counts	427	3,508	1,941
Total Parking Supply	642	4,865	2,500
Net Spaces Peak Demand	-99	-78	355
Net Spaces Peak Utilization	215	1,357	559

1. Potential users include students and employees for Champlain College and UVM and employees and patients at UVMHC.

Consistent, quarterly lot counts provided a ground truth during limited time windows (i.e. three days during peak periods at four times throughout the year) to demonstrate the utilization of the institutionally controlled lots. Although these time windows are targeted to capture peak times, it is recognized that these count data may slightly underestimate the typical peak parking demand as they only represent a limited time frame and may not capture peak parking demand due to variability. The peak of the utilization counts was used to represent peak parking based on lot counts.

Survey data provide samples from which estimates of peak parking demand can be derived based on user groups, mode trends, and other reported travel behaviors. These data summarize reported, typical patterns for different user groups but may not capture the daily variability that lot counts

Table 2 Future Institutional Parking Demand Summary

	Champlain College	UVM	UVM Medical Center
Future Conditions			
Potential Users	2,990	17,820	9,427
Total Peak Parking Demand	992	4,988	2,145
Total Parking Supply	642	5,503	2,500
Net Spaces Peak Demand	-350	515	355

are able to, thus providing an overestimate of typical peak demand. In addition, these trends by user group can be applied to future cases providing a reasonable means for forecasting peak parking demand.

Collectively, the institution's parking supply meets parking demand based on the peak parking utilization according to count data and are within the margin of error for the peak parking demand estimates based on survey data. Future parking supply similarly meet the anticipated parking demand out to forecasted 2028 conditions. These results are summarized in Tables 1 and 2, and further detailed in each institution's chapter below. It is noted that both current and future peak demand are likely inflated estimates based on the survey data. This is discussed in further detail below.

Trends & Patterns

This section outlines the context that influences the parking environment for the institutions collectively, including policy changes, pandemic disruptions, and surveyed and observed transportation behaviors. These trends and patterns, and their implications, are discussed within.

Policy Shift

Updates to the Article 8 Ordinance were approved by City Council on January 9th, 2023. These updates codify the shift away from parking minimums while adopting parking maximums, expanded transportation demand management, and updated institutional parking management plan requirements. It is important to note that with the amended ordinance moving away from parking minimums, the need for waiver requests when supply does not meet the minimum have been eliminated. Historically, the institutions have maintained a parking supply that was below previously mandated minimums and utilized the parking management plan to request a waiver for this discrepancy by demonstrating the supplied parking meets current and anticipated demand and enumerating the many mechanisms by which the institutions actively seek to reduce demand for parking on each respective campus. Although the waiver is no longer necessary in this shift towards a new parking paradigm, the 5-year JIPMP and annual updates will continue to demonstrate the current and anticipated parking supply and demand for each institution as well the strategies employed to continue towards more efficient utilization of parking resources. This policy step towards the City's climate action goals is expected to be bolstered in the near term by an upcoming transportation options study, which will recommend the policy framework for a comprehensive, citywide transportation demand management plan.

The updated ordinance and recommitment to broader transportation demand management at the city scale represent a shift towards efficiency-based standards. In parking management, efficiency-based standards refer to provision of optimal parking supply in a managed system, where supply meets demand and contingency plans account for potential variability in that

demand⁵. These managed systems consider the geography, proximity, cost, and convenience of parking supply and leverage mechanisms like pricing and regulation to optimize utilization. This allows a more holistic system to avoid the tendency to supply parking in excess while balancing appropriate pricing structures and recognizing the costs associated with oversupply. With efficiency-based standards, assessing “optimal” parking utilization based on 85th percentile occupancy has fallen out of favor. Instead, optimal parking utilization allows for spaces to fill to lot capacity on the condition that sufficient parking to serve demand is available elsewhere in close proximity and any potential spillover issues are addressed or managed. For example, an institution may provide parking in desirable proximity to key destinations, priced appropriately, and allow that parking to fill to capacity or 100% utilization. Say this parking fills twice a week for peak periods and, within the managed system, a shared satellite lot provides additional capacity to fulfill parking demand that exceeds the more proximal lot capacity. Monitoring of the system allows for management of the parking, so that adjustments to pricing or other strategies can be leveraged to induce changes in the system. Recent parking policy reforms and their strategies are well documented in resources like the searchable case study database assembled by the Urban Land Institute containing parking policy innovations across a multitude of jurisdictions⁶.

COVID-19 Pandemic

A global pandemic significantly disrupted the typical operations of all three of these institutions when it arrived locally in March of 2020. There were many lessons learned in how each of these institutions continued to meet their mission while adapting to the situation as waves of increasing infections and different variants demanded a dynamic approach. During the height of the pandemic, this meant social distancing, masking, limiting in person gathering, and using technology to enable remote work, learning, and health appointments where feasible. The prevalence of hybrid virtual and in person environments to conduct work, enable learning, and deliver healthcare consultation during the pandemic have carried into the current landscape.

Telecommuting, telework, telelearning, and telehealth have all proven to be mainstays for the institutions at a baseline level. Each institution has its own policies around how this is enacted for employees, students, providers, and patients. Each institution also anticipates that with the ubiquity of these tools and protocols in place, this approach will continue to serve some portion of what might otherwise be demand for in person activities on each respective campus and thus demand for parking.

⁵ Littman, T. (2022). *Parking Management: Strategies, Evaluation and Planning*. Victoria Transport Policy Institute (www.vtpi.org).

⁶ ULI. (2021). *Parking Policy Innovations in the United States*

Survey Trends on Travel Behavior

CATMA administers a survey annually to track the longitudinal travel behavior trends of the membership that it serves. In Fall of 2022, the survey was administered to CATMA membership including the institutional partners. The survey revealed the drive alone rates for the institutional user groups, including employees, students within a half mile, and students greater than a half mile from campus. Year over year trends of the drive alone behavior of these groups are depicted in Figures 1, 2, and 3. Overall, drive alone rates have declined over the period of monitoring starting in 2000. It is noted that students within a short distance of their respective campus (i.e. less than a half mile) have the lowest drive alone rates. Within these distances, walking, biking, and campus transit modes meet the transportation demand effectively. Students with home locations outside of a half-mile radius of campus drive alone to campus at higher rates than their close to campus counterparts, but below the rates of employees. Employees of each institution have similar drive alone rates, between 61% and 66%.

Similarly, the survey revealed the mode split for each institution. Accompanying the drive alone trends over time in Figures 1, 2, and 3 are the mode splits for the different user groups. Drive alone, carpool, and telework rates as the primary mode and alternative mode are depicted for each user group. At Champlain College, over 30% of employees telework as an alternative mode and 8% as a primary mode. At UVM, students carpool at a rate of about 30% as an alternative mode while employees carpool as an alternative mode at a rate 11% and telework as an alternative mode at a rate of 34%. At UVMMC, employees at the Medical Center Campus and 1 South Prospect Street carpool as an alternative mode at rates of about 10% and telework at rates of 8% and 18%, respectively. That does not account for the 12% of 1 South Prospect employees that telework as a primary mode.

Figure 1 Champlain College Drive Alone Trends & Mode Split

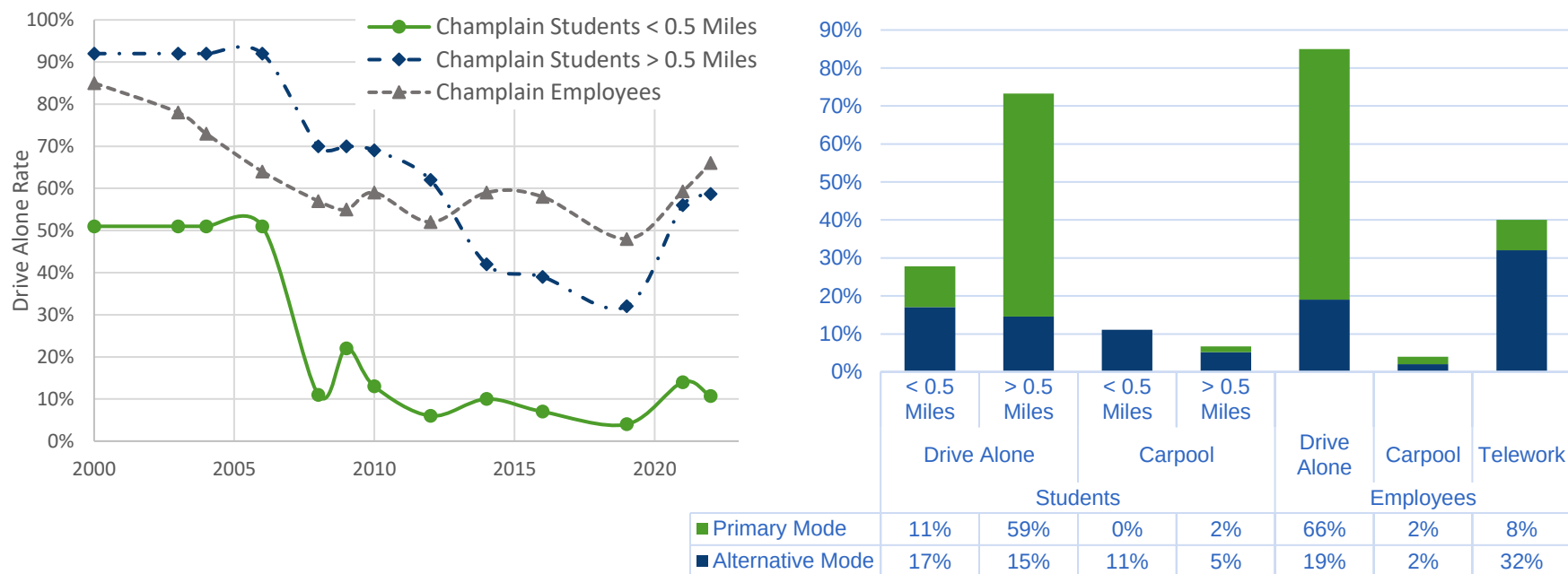


Figure 2 University of Vermont Drive Alone Trends & Mode Split

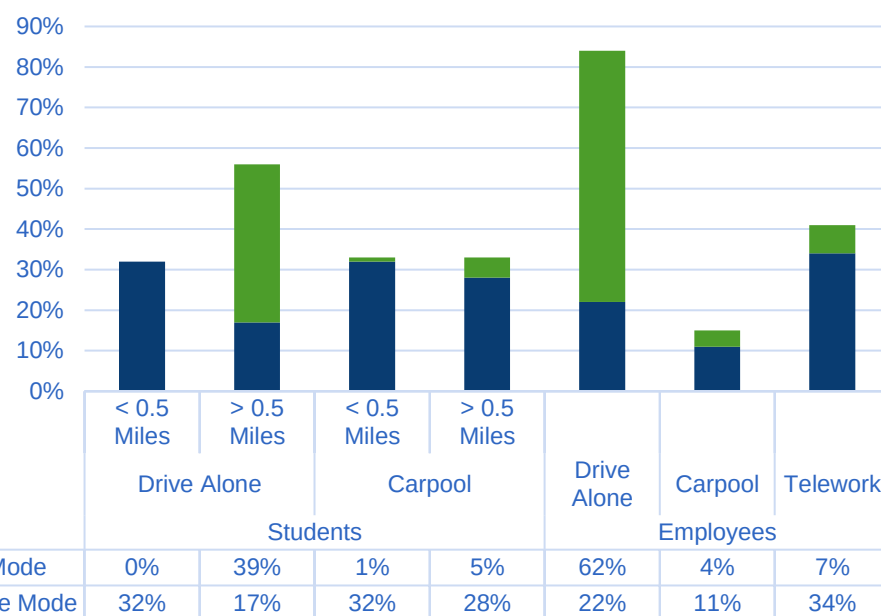
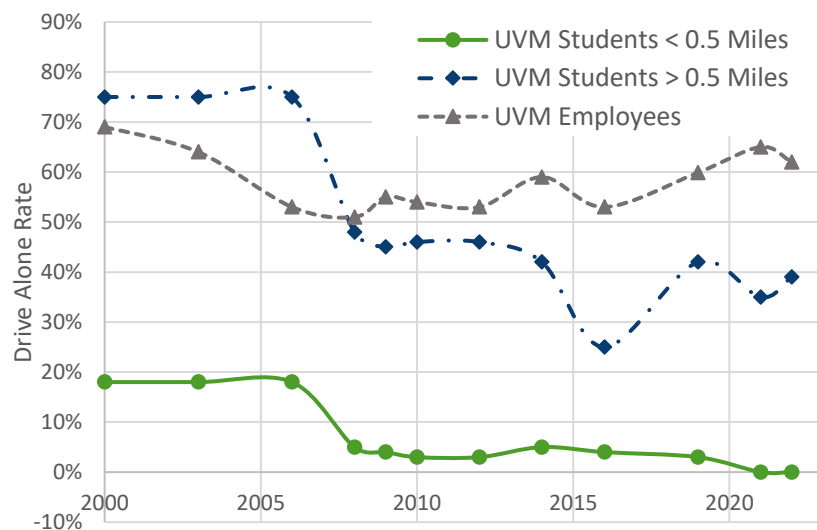
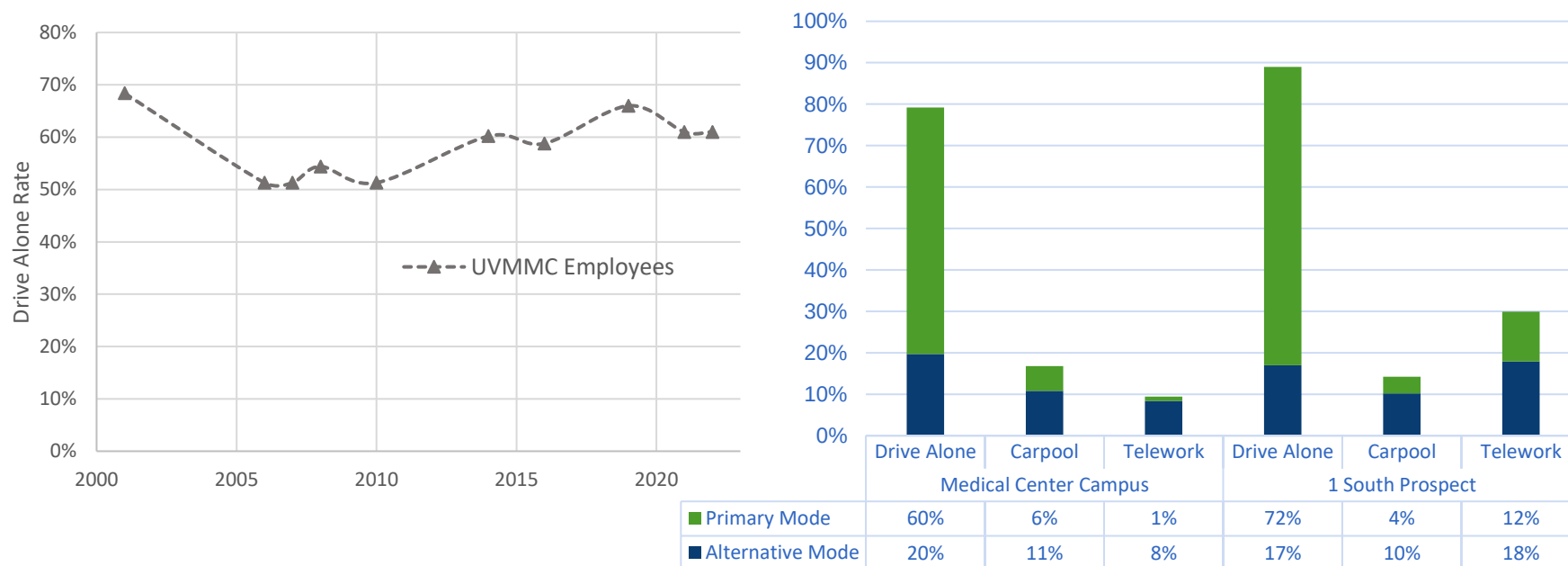


Figure 3 University of Vermont Medical Center Drive Alone Trends & Mode Split



On-Street Parking Adjacent to Institutions

There are some institutional affiliates who park on-street during peak time according to the survey administered to users in the Fall of 2022. Table 3 demonstrates the percent of students and/or employees that drive and are parking on-street during peak parking demand times. Additionally, the survey asks participants what streets they typically park on when they park on-street. Champlain College employee and student survey participants both indicated that they primarily park on South Willard Street, Maple Street, and Summit Street. UVM employee survey participants indicated that they park on Prospect Street and Williams Street. UVM student survey participants did not have a popular street that is utilized. UVMMC survey participants indicated that they park on Colchester Avenue, and the other two popular streets were North Prospect and South Prospect. These streets in proximity to the campus areas are generally unregulated, making them free and open to public parking.

To prevent institutional affiliates from parking on the city streets in residential areas, Champlain College made an agreement with the City of Burlington to allow a small number of locations where on-street parking was permitted for Champlain affiliates. It was agreed that all other streets on the “Hill” in Burlington are prohibited to affiliate parking. Champlain College has been increasing their parking enforcement to discourage the misuse of parking around campus. It should be noted that the three streets that are being frequently utilized by Champlain College employees and students are streets that fall within the campus. Parking on these segments is open to the public Monday through Friday 8:00 am to 4:00 pm and institution affiliates with a Zone 1 or MC parking permit are allowed to park in those spaces.

Table 3 On-Street Parking at Peak Time

	Champlain College	UVM	UVMCC
Students	5.6%	2.9%	N/A
Employees	11.6%	3.8%	1.1%

Collective Highlights & Strategies

This section outlines the collective institutional strategies that influence parking demand and transportation behavior more generally. Although the specific efficacy of a given strategy to offset demand for parking may not be known, these strategies collectively provide more viable transportation options to the populations accessing each campus. As demonstrated in the mode trends above, even if these options may not be used as primary means of accessing the campuses, they present feasible alternatives to driving and parking on site that can infrequently or frequently be used to offset parking demand, among other co-benefits. The individual institutional chapters delve further into the strategies on each campus regarding parking and demand management.

Transportation Demand Management

CATMA offers the member institutions a full menu of transportation demand management (TDM) programs to serve each community’s mobility needs and provide sustainable transportation options. These services and incentives are intended to expand use of alternative modes and have demonstrated participation by the membership in pursuit of reducing single occupancy vehicle use to access the institutional campuses. These programs, incentives, and services include:

- › Bike Share Discounts
- › Bike / Walk Rewards Program
- › Carpool and Vanpool Services
- › CarShare Vermont Campus Program

- › Commuter Champion Prize Drawings
- › Education, Awareness, and Outreach
- › Guaranteed Ride Home
- › Off-site Parking
- › Transit Discount Programs (i.e. Unlimited Access)

The TMA programming above represents just a portion of the collective opportunities for efficiently managed parking for the institutions. Other opportunities include shared parking, off-site parking, and shuttle services. For instance, UVM Medical Center leases parking from UVM to afford additional parking in close proximity to their campus. Off-site parking at 125 Lakeside Avenue affords just over 350 spaces of off-site parking for the institutions through CATMA contracting. UVMMC and Champlain College lease spaces to serve their users parking needs in the arrangement and provide shuttles to the off-site lot for their users. Each institution runs or contracts shuttle services to best meet the needs of their respective populations, however, employees across institutions can utilize other institutions shuttles as needed, provided there is capacity for the institution's employees to utilize the service. This sharing arrangement effectively increases shuttle service for all institutional partners.

Campus Shuttles and Transit

Green Mountain Transit (GMT) offers a multitude of options for local and regional transit service for Champlain, UVM, and UVMMC affiliates. Local and some regional routes are available with stops on or in close proximity to each campus, with additional connections to the Downtown Transit Center for transfers to a broader range of destinations. Local and regional GMT routes remain fare free through 2023 as part of the response to the COVID pandemic. Funding contributions from the institutions have continued as part of the Unlimited Access Program, in part enabling GMT to remain fare free for the general public. Should fares be implemented again in 2023, it is anticipated that Champlain and UVM will continue contributions to support their affiliates eligibility for free transit rides on any local or regional route with valid campus affiliation identification (i.e. the Unlimited Access Program) and UVMMC employees will be eligible for transit discounts. In general, ridership on GMT local routes have rebounded to near pre-pandemic levels and systemwide are down 18% compared to pre-pandemic averages.

Beyond the public transit system, each campus provides shuttle services to serve the campus and satellite facilities. These are detailed in each institution's section below.

Bike Share

In 2018 Greenride Bikeshare became Vermont's first public bike sharing system serving the greater Burlington area. There were over one hundred electric bikes in circulation across 30 hubs in Burlington, South Burlington, and Winooski through an expansion of the original system in 2021. These bikes could be accessed by a mobile app. Bolt, the e-bike vendor, ceased operations in July 2022 and the bikes were pulled from public use. Prior to their removal, there were many Greenride hub locations that helped to serve the micro-mobility needs of institutional affiliates including six located on UVM's campus, two on Champlain's campus, and one on the UVMMC campus. CATMA has issued a request for proposal (RFP) for a new bike share program which is anticipated to begin prior to Summer 2023. This bikeshare system will similarly provide another means of mobility for Champlain, UVM, and UVMMC affiliates with subsidized membership offerings.

CarShare

CarShare Vermont is a mission driven, local non-profit that aims to "provide an affordable, convenient, and reliable alternative to private car ownership." The network of 22 vehicles shared by members are located at pods throughout Burlington and in neighboring South Burlington with future plans to add vehicles in Winooski. Affiliates of UVM and Champlain College are eligible to subscribe to CarShare through a subsidized Campus Plan. Of CarShare's current 1,155 members, approximately 20% are subscribed to the subsidized Campus Plan and do not have a permit to park on their respective campus⁷. This plan provides a generous discount on annual membership. There are additionally campus affiliates that have membership through alternate rate plans (e.g. free membership for income-eligible households). It is noted that campus affiliates use all 22 CarShare vehicles in service.

For campus affiliates, CarShare Vermont has contributed to limited vehicle ownership. According to CarShare Vermont's 2022 Member Survey, 78% of student members reported that they avoided bringing a vehicle to campus and were using CarShare Vermont instead. Of those faculty and staff members, 30% reported not owning a vehicle and joining CarShare Vermont instead of acquiring one and an additional 30% reported avoiding the addition of a second household vehicle. Twenty-five percent of faculty and staff reported shedding a vehicle because of CarShare Vermont and an additional 15% reported not replacing a vehicle that stopped working.

CarShare has also contributed to the reduction of driving and increase in alternate modes among campus affiliate membership. According to the survey, 56% of students reported driving less since joining CarShare Vermont and 48% reported walking and biking more. Student members, at a rate of 76%, reported combining errands into a single trip. It is estimated that for every

⁷ The membership numbers reflect data up to March 2023.

vehicle CarShare Vermont puts in service, 15 privately owned vehicles are removed⁸. This provides many communal benefits, including reduced demand for parking.

Climate Initiatives

Each institution has set out to tackle their environmental footprint and climate implications, particularly in regard to transportation and parking.

Sustain Champlain is the overarching campaign for Champlain College to integrate sustainability into the entire campus⁹. Sustain Champlain focuses on institution, operations, academics, and culture. Under their operations section they provide resources for transportation initiatives such as CATMA memberships, access to free rides on GMT buses, shower facilities for bicyclists, additionally locations to access bike parking, shuttle stops, and CarShare vehicles. In 2015, Champlain College revisited their Active Transportation Plan which sets out to reduce motorized vehicle use for Champlain affiliates, create an active transportation culture, decrease CO₂ emissions, and create safe, functional, and environmentally friendly transportation options for employees and students.

The University of Vermont has recently published their Facilities Sustainability Plan (FSP)¹⁰. This plan entails reducing the environmental footprint of all aspects of facilities management across the campus including transportation. The plan recognizes and builds upon the planning and programming foundation for limiting or reducing the climate implications of transportation including the Active Transportation Plan, Green Fleet Vehicle Procurement Procedures, Sustainable Transportation Module for parking pass acquisition, free on-campus and local bus transit, carpool matching, and electric vehicle charging infrastructure. Building on this foundation, the Facilities Sustainability Plan aims to enhance convenient, accessible, affordable, low-carbon transportation options, reduce single occupancy vehicles; increase use of alternatives and shared modes, and ensure that fleet vehicles are rightsized, shared, and alternatively fueled. The strategies that accompany these goals are further detailed in the UVM Chapter below. UVM has released a Comprehensive Sustainability Plan, integrating the goals identified in the FSP and including academics, research, and planning for the University¹¹.

UVMCMC is committed to reducing its carbon footprint and mitigating health issues caused by climate change¹². UVMCMC has received recognition from local and national organizations for limiting onsite parking, encouraging carpooling, and providing

⁸ See Appendix B: CarShare Vermont Parking Demand Impacts of the 2021 Joint Institutional Parking Management Plan Annual Update, [jipmp_2021_annual_update.pdf \(catmavt.org\)](#).

⁹ <https://www.champlain.edu/student-life/campus-and-community-programs/sustain-champlain>

¹⁰ University of Vermont, *Facilities Sustainability Plan 2021-2030*, https://www.uvm.edu/sites/default/files/Facilities-Management/pdf-docs/exec/Facilities_Sustainability_Plan_October_2021.pdf

¹¹ The Comprehensive Sustainability Plan was released on Earth Day 2023, [Comprehensive Sustainability Plan | The University of Vermont \(uvm.edu\)](#).

¹² [Climate Change Initiatives \(uvmhealth.org\)](#)

incentives for use of public transit. Additionally, UVMMC has partnerships with CATMA, Burlington 2030, and Vermont Climate Pledge Coalition. In 2017, their alternative transportation programs helped employees avoid 1,171,082 pounds of carbon. The Burlington 2030 initiative aims to reduce transportation emissions, energy use, and water consumption by 2030. Additionally, the Climate Pledge Coalition aims to uphold greenhouse gas emission reductions established by the Paris Climate Agreement.

Multimodal Connections

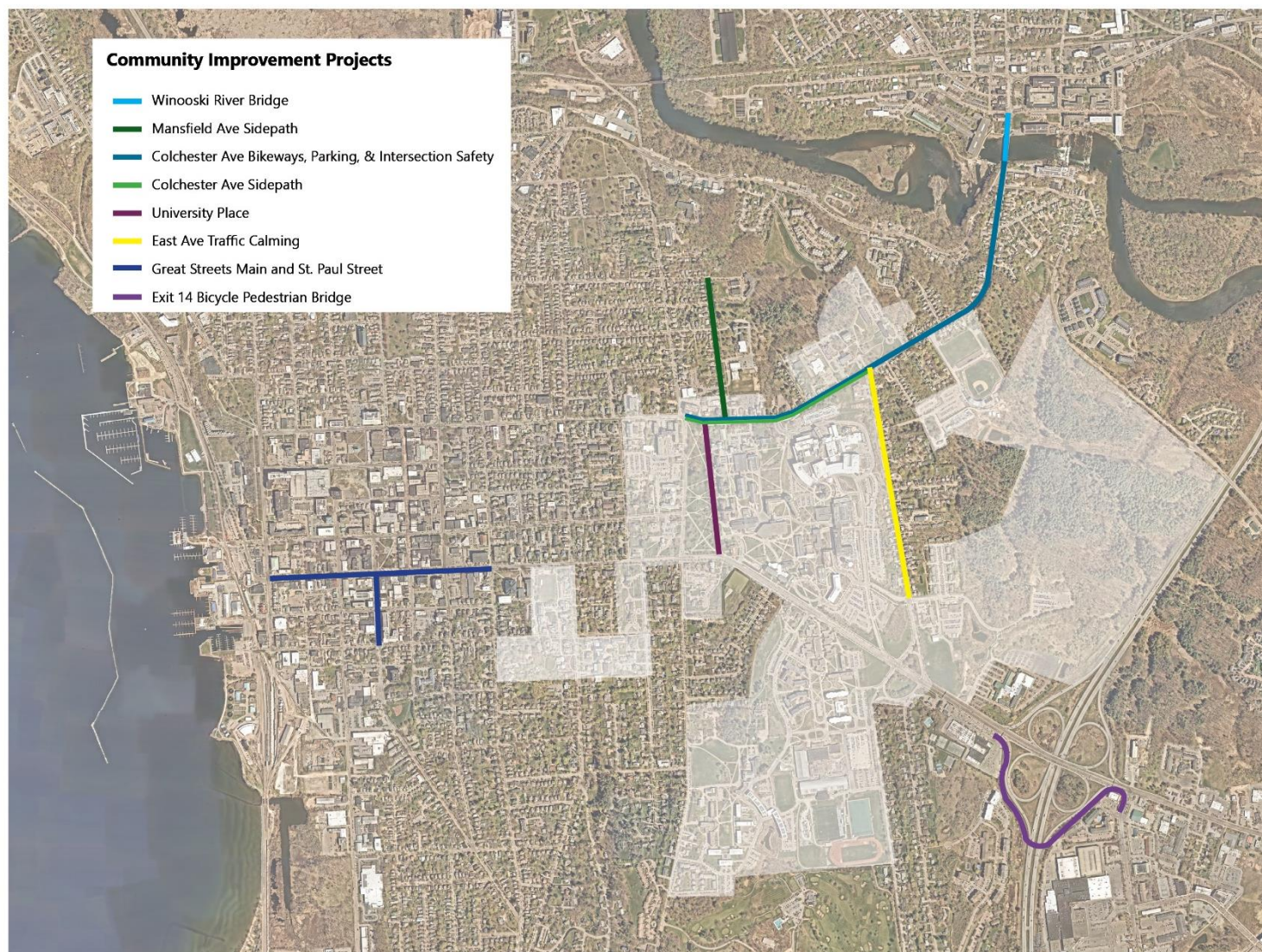
A critical focus on multimodal connections has emerged as Burlington and the surrounding communities tackle the climate emergency, demand management, and equitable transportation outcomes. In particular, places that have historically been barriers to or hostile to active modes of transportation have been under scrutiny as these areas hinder shifts towards more active transportation modes. This is evidenced in many high profile walking and biking infrastructure projects that have recently been constructed or are imminent in the planning, design, or construction phases. These projects in Burlington, South Burlington, and Winooski will improve the connectivity for residents and visitors, as well as serve the employees, students, patients, and visitors of each of the institutions. The improvement in connectivity and accommodations will provide safe and accessible routes to and from the institutions utilizing alternative modes of transportation. Some of the key projects are:

- › **Winooski River Bridge:** The purpose of the project is to improve safety while maintaining structural integrity and continuity of this integral link between Winooski and Burlington across the Winooski River. The project will address deficiencies in the bridge while improving multi-modal (bike, pedestrian, vehicular) travel for people and goods. Scoping has been completed and the project is expected to move into design.
- › **Mansfield Avenue Sidepath:** The sidepath replaced the existing sidewalk on the eastern side of Mansfield Avenue from Colchester Avenue to North Street with a wider asphalt path and markings. The project also included crossing improvements at the intersection of Colchester Avenue and Mansfield Avenue. This project is complete.
- › **Colchester Avenue Bikeways, Parking, & Intersection Safety:** The purpose of the Colchester Avenue: Bikeways, Parking, & Intersection Safety Study was to identify and prioritize improvements that align with the City's vision for sustainable transportation infrastructure and enable a continuous, connected, and livable multimodal transportation corridor. This includes proposed improvements to the intersection of Colchester Avenue and East Avenue as well as creation of separated bike infrastructure along the length of Colchester Avenue. Scoping was completed.
- › **Colchester Avenue Sidepath:** The existing Colchester Avenue southern Sidepath was removed and replaced to meet accessibility design criteria and widened to meet current design guidelines for shared bicycle & pedestrian paths. The project included a new 10' wide concrete sidepath to replace the sections of 8' wide sidepath east of Mansfield Avenue and the 5' wide sidepath west of Mansfield Avenue. The project is complete.

- › **University Place:** The purpose of improvements to University Place were to enhance safety on the street for pedestrians, bicyclists, and other active transportation users. University Place is at the heart of UVM's central campus. As part of the project, buffered bike lanes in each direction and prioritized and comfortable pedestrian crossings were constructed. UVM and the City of Burlington shared the costs of this project on the city-owned street. The project is complete.
- › **East Avenue Traffic Calming:** The purpose of the East Ave Traffic Calming project is to improve the safety along the corridor. There are currently issues of speeding and unsafe crossings for pedestrians. The project will implement traffic calming measures and create more conspicuity for crossings to improve connections along and across this critical corridor adjacent to UVM and UVMMC. Planning is complete and the project is in the design phase.
- › **Great Streets Main and St. Paul Street:** Main Street is an important gateway into downtown Burlington and a vital connection from the waterfront to the Hill institute campuses. The goal of Great Streets Main Street project is to balance the use of the public right of way to provide wide sidewalks, protected bike accommodations, activation space, and parking. St. Paul Street similarly aimed to enhance the use of the public right-of-way for multimodal use. St. Paul Street construction is complete and Main Street is in the design phase.
- › **Exit 14 Bicycle Pedestrian Bridge:** The goal of the project is to create a bicycle and pedestrian bridge across I-89 in the vicinity of the Exit 14 Interchange in South Burlington. While existing sidewalks, bicycle lanes, and transit service provide alternative transportation accommodations along US Route 2, these modes are likely underutilized due to the speed, numerous conflict points, and volume of traffic at this key regional junction. A scoping study was completed and the project is in the design phase.
- › **South End Multimodal Center:** A collaborative study with the Chittenden County Regional Planning Commission, City of Burlington, and VHB evaluated the feasibility of constructing a multimodal transportation center and supporting uses on a City-owned parcel in the City's South End. Following the completion of the multimodal center feasibility study, VHB is currently assisting the City of Burlington, Champlain College, and Ride Your Bike, LLC to envision and evaluate various design concepts for three parcels in the City's south end, inclusive of the parcel evaluated for the multimodal transportation center.

Although it is anticipated that the infrastructure projects above will improve transportation options to and from the campuses, contributing to a shift towards active and transit modes of transportation, these potential mode shifts were not accounted for in future parking demand projections. As parking demand continues to be monitored through survey and count methods, the influence of these infrastructure projects on the Institutional populations' resulting travel behavior may be estimated.

Figure 4 Highlighted Project Corridors Addressing Multimodal Connectivity (institutional areas highlighted in white)



3

Champlain College

Champlain College is a small, private, not-for-profit college in Burlington with sister campuses in Montreal, Canada and Dublin, Ireland. Champlain College prides itself on preparing students for top fields through career-oriented programming, earning accolades such as Princeton Review’s “Top Schools for Game Design,” the Broadcast Education Association’s “Top Documentary Programs,” and one of Niche.com’s top 30 “Best Schools for Information Technology.” Champlain College has been named “Most Innovative School” in the North seven years in a row by U.S. News & World Report’s “America’s Best Colleges.”

Champlain College’s main campus sits atop the hill overlooking downtown Burlington and Lake Champlain. The main campus is primarily concentrated between Main Street and Cliff Street to the north and south and Summit Street and South Union Street to the east and west. There are additional residence halls just north of Main Street and east of Summit Street as well as downtown apartments at the corner of St. Paul Street and Maple Street, four-tenths of a mile from the main campus. In addition, there are academic and facility buildings located approximately 1.3 miles from main campus off of Lakeside Avenue and Sears Lane.

Existing & Anticipated Infrastructure and Development

There are 47 buildings that provide Champlain College just over 850,000 gsf of academic, administrative, residential, athletic, dining, and facility space across the campus. Over half of the buildings are small residential halls with an average of just over 50 beds per location. These residential beds serve the majority of students that are enrolled in on campus programming. The campus infrastructure includes 642 spaces for parking, serving the range of users that access the campus or reside on campus.

The previous two-year JIPMP identified four projects that require status updates in the current JIPMP. At this point, there are no plans to carry forward the Miller Information Commons Addition, however there are three projects that were identified in the previous JIPMP that are anticipated to be carried

forward into the next 5-year development plan and will contribute additional building square footage. See Table 4 for preliminary estimates on building area changes and estimated completion dates for these projects. Champlain College additionally anticipates converting a building to residential use, contributing an additional 30 beds. The South End will be a very active area in the future around redevelopment. At this time, there are no plans to change Champlain College's parking supply or location.

Table 4 Existing and Anticipated Champlain College Infrastructure

Infrastructure	Existing ⁴	Anticipated ⁵	Units
Number of Buildings	47	48	buildings
Gross Square Footage ¹	851,517	890,517	gsf
Residential Beds ²	1,418	1,448	beds
Parking Supply ³	642	642	spaces

1. Leased facilities do not contribute to the number of buildings or total GSF.
2. Residential beds in leased facilities included in total.
3. Parking spaces from leased facilities included.
4. Existing data based on data from Fall 2022 to represent base year 2023.
5. Anticipated data based on estimates for 5-year plan to represent 2028.

Table 5 Champlain College Status of Previously Identified Projects

Building Project	Completion Status
Miller Information Commons Addition	No Longer Planned
Foster Hall Addition	Move Forward to 2023-2028 JIPMP
Information Technology & Sciences Building	
Career Center	

Existing & Anticipated Community Population

Champlain College is considered a small college, a category with a ceiling student population of 5,000 enrollments. The on-campus undergraduate population includes 1,675 full time and

61 part-time students. Of the full-time students, 30 are enrolled in the study abroad programming offered on the Montreal and Dublin sister campuses and therefore not included in the user

population accessing Burlington’s campus. Over half of the College’s enrollments are through Champlain College Online. This programming currently serves 559 graduate and 1,439 undergraduate students, totaling nearly 2,000 enrollees in the online programming. These students are similarly not counted towards the population accessing campus.

Champlain College employs just over 900 faculty, staff, and contractors split between the on-campus programming and off-campus and online programming. There are 353 full-time, 193 part-time, and 66 contracted employees that serve the Burlington campus. Additionally, there are 26 full-time, 263 part-time, and 22 abroad employees serving the off-campus and online programming that do not contribute to the user population accessing the Burlington campus.

It is anticipated that in the coming 5 years, the Champlain College student and employee populations will grow. Enrollment in on-campus programming is anticipated to expand to serve 2,080 full-time and 80 part-time undergraduate students. The Dublin and Montreal programs are expected to expand to serve 40 students. Similarly, the online programming is expected to expand to serve 740 graduate and 1,750 undergraduate students remotely, bringing the online programming to just under 2,500 students. Details on current and projected populations are further detailed in the Supplemental Materials.

Table 6 Anticipated Champlain College Building Development Program

Project Name	Change in Building Area (gsf)	Associated Change in Parking (spaces)	Estimated Completion
Foster Hall Addition	3,500	0	2026
New ITS Building	31,500	0	2026
Career Center Addition	4,000	0	2025
Conversion of Building to Res Hall	N/A	0	2024

Existing & Anticipated Parking Demand

As previously discussed, the peak parking demand was estimated using two methodologies: utilization counts and survey data. The parking supply for the campus is currently at 642 spaces. These spaces are spread across the College lots as depicted in Figure 6. In addition, Figure 6 demonstrates the average parking utilization rates for each Champlain College owned lot. These rates are based on the quarterly lot counts conducted by Champlain College across three days during peak periods. Although it is not accounted for in the parking supply, it is noted that there are 145 on-street spaces in designated zones adjacent to campus that Champlain College affiliates are allowed to park in, contributing informally to the supply of parking in the immediate adjacency of campus activities.

The maximum parking utilization was compared across the available data from previous peak period observations to demonstrate changes over time. The parking utilization trends in Figure 5 show there was significantly diminished utilization through the Fall 2020 to Summer 2021 period, resulting in peak period utilization of approximately 30%. The utilization, starting in Fall 2021, rebounded to a maximum peak utilization of 67% in Fall 2021 and again in Fall 2022. This remains below the peak utilization demonstrated in Fall 2019 of 84% and Winter 2020 of 75% (prior to the COVID pandemic).

Figure 5 Champlain College Parking Utilization Trends

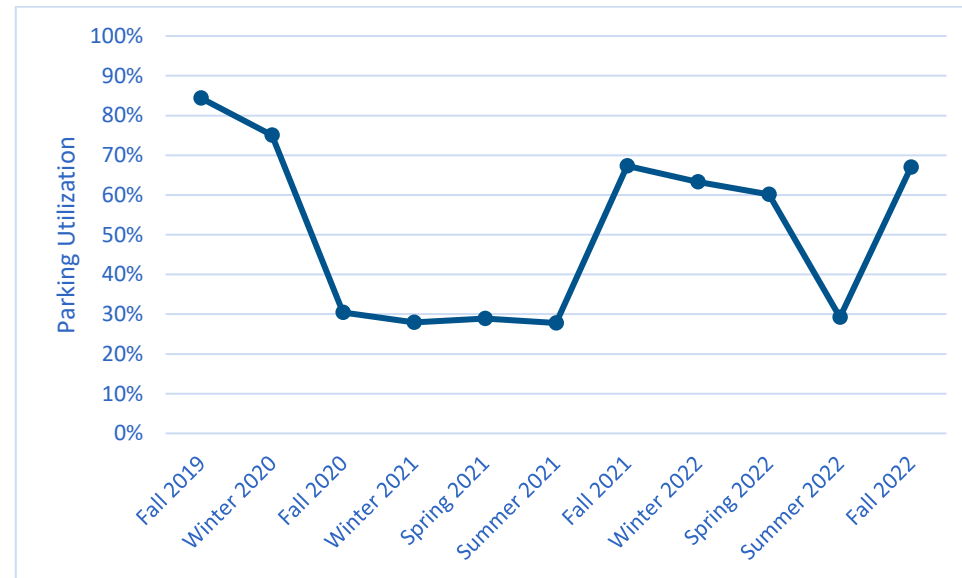
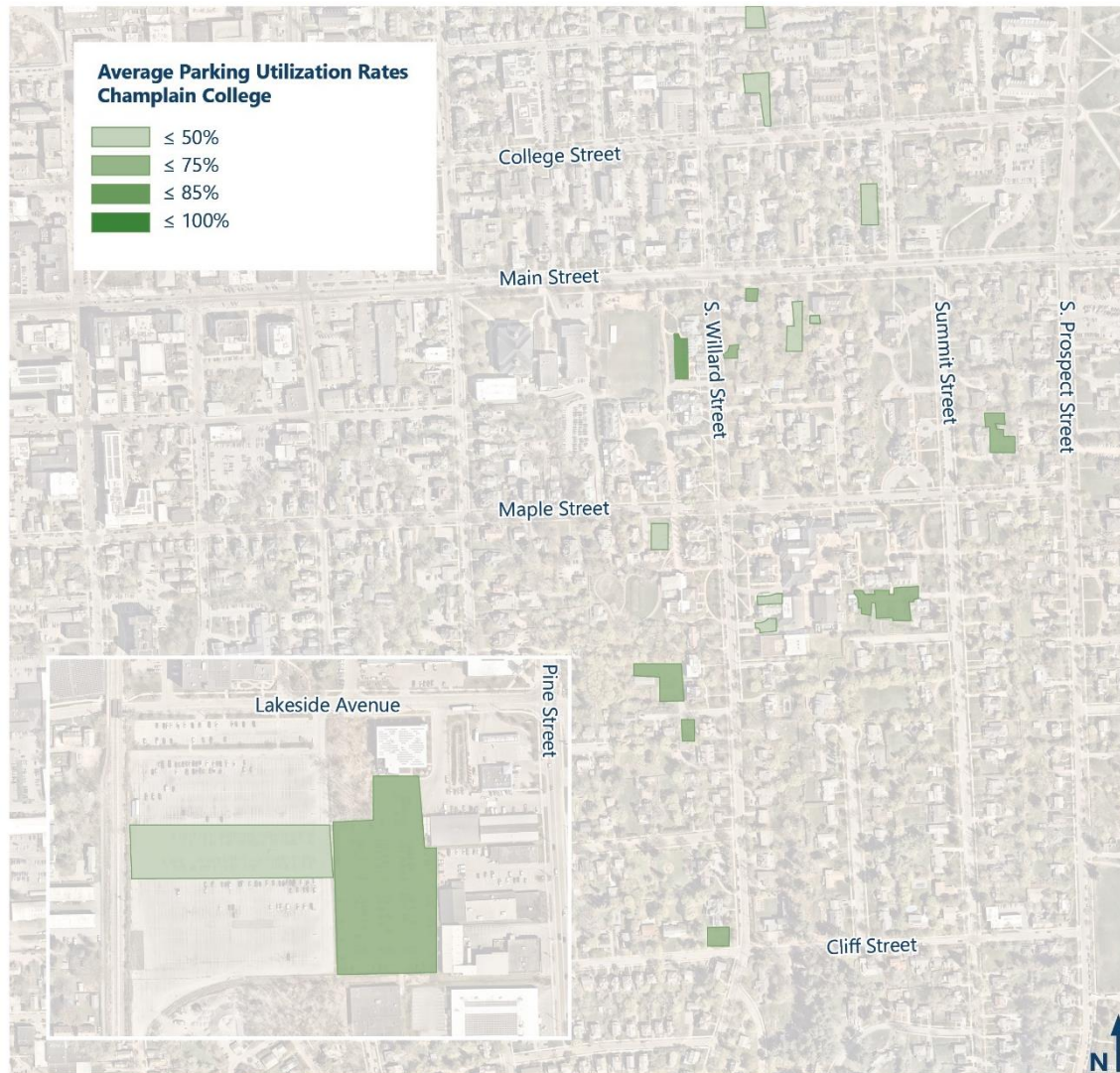


Figure 6 Champlain College Average Parking Utilization Rates



The current peak parking demand for Champlain College is estimated to be 427 vehicle spaces based on observed peak parking utilization counts, demonstrating a net available parking supply of 215 spaces. Peak parking demand based on survey data indicates peak parking demand of 741 spaces, or a net shortfall of 99 spaces. It is noted that this estimate and its future projections represent a likely overestimation of peak parking demand. The percent of users for each user group was estimated based on those that reported predominantly driving alone or carpooling to serve their transportation to campus and reported typically being on campus at the peak time. They may be using secondary modes at other times during a typical week, including teleworking. As such, it can be assumed that these estimates inflate the demand to represent an artificially high peak parking demand.

Future parking demand was estimated from the surveyed mode trends by user groups, accounting for the anticipated changes to infrastructure and user populations described above. For Champlain College, there are anticipated increases in population that

Table 7 Champlain College Current Parking Demand

Champlain College			
User Group	Number of Potential Users	Peak Parking Demand¹	
		% of Users	Spaces
Employees	612	58.0%	355
On-Campus Students	1418	18.9%	269
Off-Campus Students	318	29.9%	96
Visitors			15
Fleet ²			6
Peak Parking Demand			
Demand Based on Survey³			741
Utilization Based on Counts⁴			427
Parking Supply			
Total Spaces⁵			642
Net Spaces			
Peak Demand			-99
Peak Utilization			+215

1. Peak parking demand is calculated from data collected in the 2022 CATMA Survey where “% of Users” consists only of car users who are on campus at peak time.

2. Champlain has 15 fleet vehicles but estimates only ~40% attempt to park on campus at peak time.

3. Total peak parking demand has a margin of error of ±89 spaces.

4. Peak observed utilization occurred on October 6th, 2022 at 2 PM and has a margin of error of ±31 spaces based on 2022 count data.

5. Total Parking Supply does not include 145 on-street parking spaces in Designated Zones.

account for the increased peak parking demand, assuming the mode trends remain consistent with current behavior for each user group.

Table 8 Champlain College Future Parking Demand 2028

Champlain College			
User Group	Number of Potential Users	Peak Parking Demand ¹	
		% of Users	Spaces
Employees	830	58.0%	482
On-Campus Students	1448	18.9%	275
Off-Campus Students	712	29.9%	214
Visitors			15
Fleet ²			6
Peak Parking Demand			
Future Demand Based on Survey			992
Parking Supply			
Total Spaces³			642
Net Spaces			
Peak Demand			-350

1. Peak parking demand is calculated from data collected in the 2022 CATMA Survey where “% of Users” consists only of car users who are on campus at peak time.

2. Champlain has 15 fleet vehicles but estimates only ~40% attempt to park on campus at peak time.

3. Total Parking Supply does not include 145 on-street parking spaces in Designated Zones.

Fleet

Champlain College has a total of 15 fleet vehicles on their campus in designated “Service Only” spaces. Four passenger vans are typically parked in Rowell and Cushing, and eleven pick-up trucks and facilities vehicles are typically parked in the Sears Lane lot near the facilities building. There are no current plans to grow the fleet.

Highlighted Strategies

Parking Restrictions and Permits

Champlain College provides clear guidance for all campus community members to follow regarding parking policies. It is mandatory that all Champlain College affiliates obtain a permit for their vehicles each semester. Permits are affiliated with particular parking zones.

First year students are restricted from bringing vehicles to campus. This policy was approved in 2018 to align with the Master Plan and Sustainability Vision. There are waivers available for demonstrated need based on strict criteria around employment, medical conditions, long-distance travel, and transfer students from other institutions.

Telework

Champlain College provides an Interim Workplace Flexibility policy that was updated in December 2022. The workplace flexibility is opportunity to support employees' safety, work life, along with their personal and family responsibilities while still supporting the College's need for coverage, efficiency, and productivity. The workplace flexibility assesses the job and employee's suitability prior to approving a work arrangement. This varies depending upon the employee's role and the specific nature of the work required. The work arrangement can be occasional, hybrid, or fully remote and approval is at the supervisor's discretion and must be reviewed with the functional area's Dean, Vice President, COO, or Provost.

Transportation Demand Management

Champlain College encourages all employees and students to register for CATMA membership which provides carpool and vanpool matching, bike/walk rewards program, Guaranteed Ride Home Program, unlimited access free rides on local and regional bus routes, CarShare Vermont membership discounts, Park and Ride options, and commuter workshops.

CarShare Vermont

Champlain College has a partnership with CarShare Vermont via CATMA's Campus Programs Contract and provides funding to CarShare Vermont for program support. Through this contract with CATMA, CarShare Vermont provides significantly discounted membership to any campus affiliate that does not hold a parking permit¹³. As of December 2022, there were a total of

¹³ Rates for CarShare Vermont Campus Programs can be viewed here: <https://www.carsharevt.org/memberships/campus/>

45 members (28 students and 17 employees) registered to CarShare Vermont through Champlain College. There are CarShare Vermont pods located on Maple Street near West Hall, on College Street near Sanders Hall, and on St. Paul Street near 194 St. Paul Street Apartments¹⁴.

Shuttles

There is free commuter parking at 175 Lakeside Avenue for Zone 1 permit holders. Champlain operates a free shuttle service seven days a week between Lakeside Campus, 194 Saint Paul Street, and Main Campus. All Zone 2 permit holders are automatically enrolled in CATMA's Guaranteed Ride Home program, which provides a free cab ride if the shuttles are not operating. All Zone 1 permit holders are also eligible to enroll. Locations of the Champlain shuttles can be tracked in real-time providing up to date information to users via website or mobile app¹⁵.

Monitoring, Compliance, and Enforcement

Champlain College diligently monitors and enforces the parking plan through the year, with parking enforced 24 hours per day, 7 days per week. Further, every Champlain College affiliate, employees and students alike, are required to get a parking pass for their vehicle every semester. Lots on the main campus in close proximity to academic buildings are either designated for main campus employees with an appropriate permit (i.e. Zone 1 permit holders) or pay per use on weekdays between 8 AM and 4 PM for appropriate permit holders. It is noted that the pricing is structured to be most expensive in the lots closest to the core of campus and in the highest demand, with lots further out becoming less expensive.

Further, on city streets that have not been identified as eligible locations for Champlain College affiliates to park, Champlain affiliated vehicles can be ticketed in accordance with Champlain College's parking policy. The College's lots are monitored and patrolled daily. The College issued 1,223 citations and 1,296 warnings during the 2021-2022 school year and 2022 summer programming. This enforcement action represents an average of nearly 7 warned or ticketed infractions per day. It also represents an increase in enforcement action of over three times the warned or ticketed infractions from the previous year (2020-2021).

In addition to the daily monitoring, quarterly counts are conducted for a three-day period at every lot during peak times (i.e. intervals starting at 10AM, 12PM, and 2PM). Champlain College also counts City streets in the vicinity of campus, which is likely capturing other users of these public streets, like on Main Street and Summit Street, beyond their affiliate use.

¹⁴ Locations for CarShare Vermont vehicles can be viewed here: <https://www.carsharevt.org/locations/>

¹⁵ <https://shuttle.champlain.edu/>

4

University of Vermont

Founded in 1791, the University of Vermont has been a cornerstone of Burlington throughout the period following European settlement of the area, established prior to the founding of the City itself. The University is a medium sized public university and land grant institution that is considered a “Public Ivy.” This designation is based on the strength of selective and rigorous undergraduate educational programming as well as renowned research. Known as UVM, or University of the Green Mountains in Latin, the University prides itself on being the ideal size to foster academic and research prominence while encouraging close faculty-student mentorships across all levels of study. The location of UVM as part of the fabric of Burlington and the state of Vermont, and in close proximity to Lake Champlain and the Green Mountains, enriches student educational experience and enables service to the state’s communities through its land grant mission.

The University of Vermont is situated at the top of the hill overlooking the City of Burlington and Lake Champlain to the west and the Green Mountains to the east. The Main Campus extends approximately 460 acres inclusive of central, athletic, Redstone, and Trinity campuses, as well as Centennial Woods. These areas are predominantly within Burlington with a small, connected land area that crosses over into South Burlington. One satellite site to this contiguous campus area is the Rubenstein Ecosystem Laboratory, which is situated directly on Burlington’s waterfront and serves as a research and teaching laboratory regarding the Lake Champlain basin. Main Campus areas are generally accessed from Main Street, East Avenue, Colchester Avenue, Prospect Street, Spear Street, University Place, and Williams Street, as well as many additional roadways and pathways.

In addition to Main Campus, UVM has land holdings in South Burlington, Colchester, Essex, and many other areas across the state. South Campus includes land holdings predominantly in South Burlington with a small area in Burlington made up of mostly agricultural, horticultural, and natural areas. The Colchester Research Campus serves research purposes associated with

the College of Medicine. Fort Ethan Allen in Colchester/Essex includes facilities for maintenance purposes, including fleet services.

Existing & Anticipated Infrastructure and Development

There are 200 buildings and an additional 29 accessory buildings that serve the University, accounting for over 5.6M gross square footage. The buildings serve academic, research, residential, administrative, athletic, student support, facilities, and other purposes. Of these buildings, over 75 support academic and research purposes and over 50 support residential purposes. The residential buildings support 5,775 beds for students to reside on campus with an additional 617 beds for students and 164 beds for faculty and staff provided through third party partnerships. Primarily the on campus residential beds are for first- and second-year undergraduate students, as they are generally required to live on campus.

Table 9 Existing UVM Campus Building Data

Building Use	Accessory Buildings	Total Buildings	GSF	Residential Beds
Mixed Uses				
Academic / Administrative / Student Support	0	3	242,857	5,775
Academic / Research	7	69	1,937,764	
UVM / UVMMC Academic Research	1	7	253,501	
Administration	10	33	510,524	
Athletics	6	17	475,948	
Student Support	3	20	501,978	
Residential				
Residential Academic	0	3	110,961	5,775
Residential Dining	0	4	260,602	
Residential Central Campus	2	7	209,342	
Residential Redstone Campus	0	14	408,954	
Residential Trinity Campus	0	12	147,174	
Residential Athletic Campus	0	11	591,503	
Total	29	200	5,651,108	5,775

Parking spaces are available across the various segments of campus. Athletic commuter lots make up the majority of spaces available, with over 1,700 spaces. Core campus areas account for over 1,600 additional parking spaces. There are commuter lots that are largely leased out to other entities. And finally, there are Redstone and Trinity campus lots that primarily serve residential second-year students with vehicles on campus as well as some employee use. The off-site spaces reflect satellite parking within and outside of Burlington. The off-site parking within Burlington does not account for the 200 spaces at 351 Pine Street, as a project has been identified to remove that parking from UVM's inventory.

The previous two-year JIPMP identified many projects that require status updates in the current JIPMP. There were projects that were completed from the last JIPMP including the Music Building Recital Hall Addition, Jeffords East Lower Lot, University Heights Road (Southwick), Pomeroy Barn & 172 South Prospect Buildings, and a New Research Facility for the College of Medicine. In addition, there are projects that were previously identified that no longer have plans to move forward, including Fleming Museum Parking, Outing Club Relocation, Southwick Hall Parking, Future Structured Parking, Colchester Avenue / Dewey Buildings, Back 5 & Cottages (Trinity Campus) Buildings. There are 22 other projects that have been identified for the next 5 years, including 9 newly identified projects that are not carried forward from the previous JIPMP. One of these projects, discussed above, includes the removal of the satellite spaces at 351 Pine Street. This 200-space lot at 351 Pine Street was originally leased in 2019 to comply with permit conditions for the Firestone addition. At the time of permitting that project, there was not an approved JIPMP in place, which meant that the City could not consider UVM's extensive system of TDM and had to apply the minimum parking requirements identified in the ordinance without considering a waiver as would be normally considered under an approved JIPMP. This temporary condition was later resolved by approval of the 2020-2022 JIPMP. This JIPMP included the lot at 351 Pine Street however the lot was never actually needed or used. For the past two years, UVM has completed campus wide monthly lot counts, which have consistently shown that UVM has adequate on-

Table 10 Existing UVM Parking Capacity

Parking Lot Location	Capacity	Leased Spaces	Usable Spaces
Athletic Commuter	1,733		1,733
Core Central	50		50
Core East	767	-100	667
Core North	369		369
Core South	135		135
Core West	431	-47	384
Commuter Lots	808	-485	323
Redstone Campus	626		626
Trinity Campus	314		314
Off-Site: Burlington ¹	54		54
Off-Site: Outside Burlington ²	210		210
Total in Burlington	5,287	-632	4,655
Total	5,497	-632	4,865

1. Includes parking at the Rubenstein Laboratory and Bioresearch Complex (South Campus).
2. Includes parking spaces at the Colchester Research Facility, Forestry Laboratory, and Miller Barn.

campus parking space, and this remote parking lot is not needed. UVM intends to apply to amend the permit requirement for this lot and remove this lot from campus inventory. UVM will continue quarterly campus wide lot counts at peak times, to ensure ongoing management of parking spaces. Other projects will include future student housing, potentially increasing the number of residential beds by approximately 600-1200 beds, located at Trinity or elsewhere on campus as noted in Table 11 and footnote 3. It is anticipated that the full list of identified projects will have a limited impact on the gross square footage of building area on campus but will result in a net gain of approximately 638 parking spaces. See Table 11 for preliminary estimates on building area changes and estimated completion dates for these projects.

Table 11 UVM Campus Building Program Data (completed and future)

Project Name	Included in Previous JIPMP	Change in Building Area (gsf)	Associated Change in Parking (spaces)	Estimated Completion
Music Building Recital Hall Addition	Yes	3,942	3	Completed
Jeffords East Lower Lot	Yes		67	
University Heights Road (Southwick)	Yes		5	
Pomeroy Barn & 172 South Prospect Buildings	Yes	-6,067	-3	
New Research Facility for COM (Firestone)	Yes	75,000	-121	
Bioresearch Complex Parking	Yes		153	2023
Hills	No	6,408	1	
Centennial Compound	No		40	
ADA Code Compliance	Yes		-20	2024
284 East Avenue	No		30	
Waterman	No	3,000	-10	
Votey Lot	Yes		-10	
Torrey Hall Addition	Yes	2,860	-6	2025
Future Student Housing ³	No	100,000	0	
Future Additional Parking to Accommodate New Housing	No		200	
Colchester Research Facility Lot 1 Parking ²	Yes		200	
University Road (East Ave to Compound)	Yes		15	
Interfaith Center Parking Lot	Yes		30	2026
Future Student Housing ³	No	150,000	-25	
Future Additional Parking to Accommodate New Housing	No		200	
Villa	No	12,618	-7	
Future Compound Expansion	No		66	
Virtue Field Phase 3	Yes	5,000	0	2027
Blundell Parking	Yes		5	

Tarrant (Multi-Purpose) Event Center Building	Yes	119,099	0	Unknown
Miscellaneous Parking Adjustments ¹	Yes		25	
351 Pine Street	Yes		-200	
Coolidge Hall Building	Yes	-30,510		Not moving forward at this time
Fleming Museum Parking	Yes			
Outing Club Relocation	Yes	13,250		
Southwick Hall Parking	Yes			
Future Structured Parking	Yes			
Colchester Ave/Dewey Buildings	Yes	-82,622		
Back 5 & Cottages (Trinity Campus) Buildings	Yes	-64,907		
Total⁴		471,860	638	

1. Where possible UVM attempts to reallocate space to create more parking. It is estimated this will result in ~25 spaces over 5-years based on previous experience.

2. This facility is estimated to house between 200 and 400 parking spaces. Though it is off-site it will impact on-campus demand depending on UVM policy.

3. UVM and the City of Burlington have engaged in a process to rezone Trinity Campus in order to enable the creation of additional student housing on campus. As of this report, City Council has tabled the proposed rezoning language and it is unclear whether housing at Trinity Campus will move forward. UVM is actively exploring options to increase student housing on Trinity and/or elsewhere. UVM is not in a position to discuss the other sites publicly at this time. None of the sites are associated with a project from the previous JIPMP to remove Coolidge Hall, which is not moving forward at this time. The low end of range of potential gsf estimates was used for totaling change in area.

4. Total includes projects except those not moving forward at this time.

Existing & Anticipated Community Population

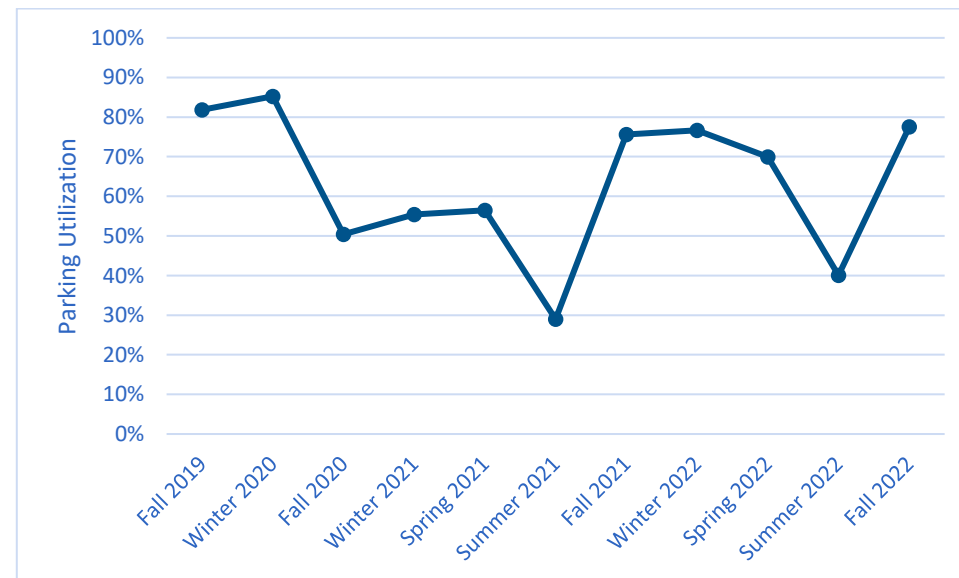
The UVM campus currently serves a total population of just over 18,000 on Burlington's Main Campus, inclusive of faculty, staff, and students. Employees include 2,311 full- and 155 part-time staff and 861 full- and 927 part-time faculty. These numbers include approximately 230 employees that are not Burlington based and therefore deducted from the employee users contributing to parking demand, which total approximately 4,024 employees. Student enrollment includes 11,326 undergraduate students, 1,707 graduate students, 483 medical students, and 572 continuing education students, totaling approximately 14,088 students. The majority of the first- and second-year undergraduate students reside on campus in the University's 5,775 residential beds.

The UVM campus population is expected to stay relatively consistent over the next five years based on projections from the date of this document. A slight increase in graduate and continuing education student enrollment are projected to account for the approximate 3% increase in student population. The undergraduate, staff, and faculty numbers are expected to remain largely consistent with present population levels.

Existing & Anticipated Parking Demand

As previously discussed, the peak parking demand was estimated using two methodologies: utilization counts and survey data. The parking supply for the campus is currently at 4,865 spaces. Sites within the campus that UVM ground-leases (and their associated parking spaces), such as Redstone Lofts, Redstone Commons, and Centennial Court Faculty/Staff Apartments, are not included in this total. When accounting for these additional 379 spaces that are nestled within the campus and utilized by students in Redstone Lofts & Apartments,

Figure 7 University of Vermont Parking Utilization Trends

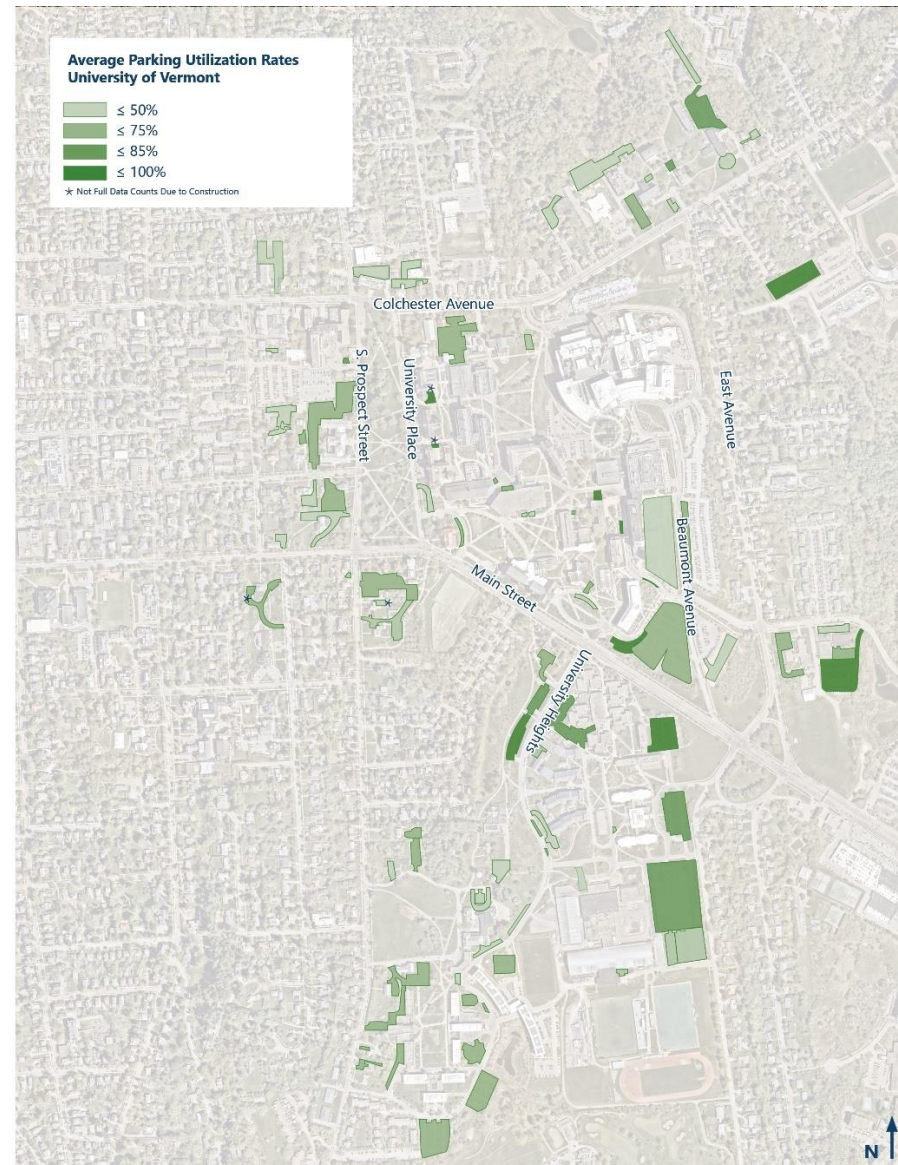


but not part of UVM's parking supply for their exclusive use, there are 5,244 spaces. As such, there are two net parking space estimates provided to account for the UVM parking supply, and the UVM parking supply with consideration for these on site and student utilized spaces.

The UVM managed spaces are spread across the lots as depicted in Figure 8. In addition, Figure 8 demonstrates the average parking utilization rates for each UVM owned lot. These rates are based on the quarterly lot counts conducted by UVM across three days during peak periods.

The maximum parking utilization was compared across the available data from previous peak period observations to demonstrate changes over time. The parking utilization trends in Figure 7 demonstrate slightly reduced demand through the Fall 2020 to Summer 2021 period, where utilization ranged from 29% to 56%. Parking utilization rebounded starting in Fall 2021 with an in session (i.e. not summer) maximum utilization between 70% and 78% consistently. This more recent data falls below utilization observations made prior to the COVID pandemic, which were above 80%.

Figure 8 University of Vermont Average Utilization Rates



The current peak parking demand for UVM is estimated to be 3,508 vehicle spaces based on observed peak parking utilization counts, demonstrating a net available parking supply of 1,357 spaces. Peak parking demand based on survey data indicates peak parking demand of 4,943 spaces, or a net shortfall of 78 spaces. It is noted that this estimate and its future projections represent a likely overestimation of peak parking demand. The percent of users for each user group was estimated based on those that reported predominantly driving alone or carpooling to serve their transportation to campus and reported typically being on campus at the peak time. They may be using secondary modes at other times during a typical week, including carpooling, biking, and/or teleworking. As such, it can be assumed that these estimates inflate the demand to represent an artificially high peak parking demand.

Table 12 University of Vermont Current Parking Demand

University of Vermont			
User Group	Number of Potential Users	Peak Parking Demand ¹	
		% of Users	Spaces
Employees ²	4,024	55.4%	2,228
On-Campus Students	5,775	16.8%	971
Off-Campus Students ³	7,741	17.8%	1,376
Visitors			185
Fleet ⁴			183
Peak Parking Demand			
Demand Based on Survey⁵			4,943
Utilization Based on Counts⁶			3,508
Parking Supply			
Total UVM Managed			4,865
Total UVM + Ground-Lease Spaces⁷			5,244
Net Spaces			
Peak Demand in UVM Managed Spaces			-78
Peak Demand in UVM + Ground-Lease Spaces			+301
Peak Utilization in UVM Managed Spaces			+1,357

1. Peak parking demand is calculated from data collected in the 2022 CATMA Employee and Student Transportation Survey using the methodology described in Appendix A. "% of Users" consists only of car users who are on campus at peak time.
2. Employees not located on Main Campus are not included in this count.
3. Off-Campus Students does not include Continuing Education students.
4. Fleet vehicles not located on Main Campus or in Burlington not included in this count.
5. Total peak parking demand has a margin of error of ± 1046 spaces.
6. October 4, 2022 at noon was the peak utilization count and has a margin of error of ± 217 spaces based on 2022 count data.
7. Ground-lease spaces include spaces that are interior to the campus but exclusively used by Redstone Lofts and Apartments.

Future parking demand was estimated from the surveyed mode trends by user groups, accounting for the anticipated changes to infrastructure and user populations described above. For UVM, the undergraduate population is expected to remain consistent with population increases coming largely from increased graduate student enrollment. An increase in the number of beds available for on-campus students was provided with a range of 600 to 1200 beds projected. For the purposes of calculating demand, the low end of the anticipated range of new beds was assumed at 600 beds. These assumptions provided a conservative estimate even though additional housing is being contemplated and may contribute to further increases in on-campus housing for students. Parking supply is expected to increase in the future condition, contributing to the estimate of a 515-space surplus of parking anticipated in the projection to 2028. This estimate assumes the mode trends remain consistent with current behavior for each user group.

Table 13 University of Vermont Future Parking Demand 2028

University of Vermont			
User Group	Number of Potential Users	Peak Parking Demand ¹	
		% of Users	Spaces
Employees ²	4,020	55.4%	2,226
On-Campus Students	6,375	16.8%	1,073
Off-Campus Students ³	7,425	17.8%	1,321
Visitors			185
Fleet ⁴			183
Peak Parking Demand			
Demand Based on Survey			4,988
Total Parking Supply			
Total UVM Managed			5,503
Total UVM + Ground-Lease Spaces			5,882
Net Spaces			
Peak Demand in UVM Managed Spaces			+515
Peak Demand in UVM + Ground-Lease Spaces			+894

1. Peak parking demand is calculated from data collected in the 2022 CATMA Employee and Student Transportation Survey using the methodology described in Appendix A. "% of Users" consists only of car users who are on campus at peak time.

2. Employees not located on Main Campus are not included in this count.

3. Off-Campus Students does not include Continuing Education students.

4. Fleet vehicles not located on Main Campus or in Burlington not included in this count.

Fleet

In 2019, UVM created a Fleet Vehicle Procurement Procedure to attempt to achieve a high level of fiscal, social, and environmental responsibility in fleet vehicle procurement. This procedure defines the process for purchasing new or replacement vehicles. The University will prioritize alternative fuel vehicles (AFVs) and vehicles with high fuel economies relative to their market class.

UVM has 212 fleet vehicles that park throughout the main campus and other off campus locations. The fleet vehicles parked in Howe and Votey parking lots have designated “Service Only” spaces. The other lots the fleet vehicles are parked in have a combination of spaces, including designated “Service Only” spaces. Ambulances are parked in the Rescue Building and CATS shuttle buses are parked in Catamount West when not in use. CATS shuttle buses may be parked at the Bioresearch Complex in the future.

Highlighted Strategies

Parking Restrictions and Permits

The University of Vermont provides clear guidance for all campus community members to follow regarding parking policies. It is mandatory that all UVM affiliates obtain a permit for their vehicles each semester. Permits are affiliated with specific parking zones.

First year students living in residential halls are prohibited from registering a vehicle for campus parking. The University has determined approved, eligible employment and documented medical needs to be the only exceptions. Students are required to take a parking permit course prior to receiving a parking permit. This course is designed to educate potential permit holders on the alternatives to and impact of driving alone.

UVM has a virtual permit system that uses license plate recognition (LPR) technology to capture the vehicle's license plate to confirm your vehicle is registered. Parking regulations are enforced on campus 24 hours a day, seven days a week using a system of warnings, citations, and/or removal of vehicles by towing.

Telework

UVM offers flexible working arrangements and telework policies. Telework requests are reviewed on a case-by-case basis in the context of established and consistent guidelines. Telework requests are approved or denied at the discretion of the appropriate Dean, Vice President or Vice Provost and may be discontinued at any time at the University's sole discretion.

Transportation Demand Management

UVM partners with CATMA to offer employees and students bike/walk rewards, personalized trip planning assistance, and Guaranteed Ride home. UVM affiliates have access to Go! Vermont resources and Carpool and Van Pool matching to find greener travel options. In addition, UVM provides funding to GMT through the Unlimited Access Program to offer affiliates free bus transit rides on GMT routes.

CarShare Vermont

UVM has a partnership with CarShare Vermont via CATMA's Campus Programs Contract and provides funding to CarShare Vermont for program support. Through this contract with CATMA, CarShare Vermont provides discounted membership to any campus affiliate that does not hold a parking permit¹⁶. As of December 2022, there were a total of 251 members (194 students and 57 employees registered to CarShare Vermont through UVM). There are two CarShare pods on the UVM campus including locations just off of University Place and on University Heights. Currently there are two cars located on UVM campus¹⁷.

Shuttles

UVM provides an on-campus shuttle (CATS) for students that runs 7:30 am until 5:30 pm. On the weekdays, these shuttles generally run every 15 minutes between Redstone and Central campus, every 15-20 minutes on the on-campus route during the daytime, and every 15-30 minutes on-campus during the evening. Weekend service of the on-campus shuttle runs every 30 minutes in the evenings. Locations of the CATS shuttles can be tracked with the Real-Time CATS Shuttle Locations¹⁸ providing up to date information to users via website or mobile app. In addition to the on-campus and Redstone Express routes, there has historically been an off-campus bus that serves key destinations beyond campus focused shuttle routes; however, it is not currently running due to driver shortages.

¹⁶ Rates for CarShare Vermont Campus Programs can be viewed here: <https://www.carsharevt.org/memberships/campus/>

¹⁷ A map of CarShare Vermont locations can be viewed here: <https://www.carsharevt.org/locations/>

¹⁸ <https://uvm.transloc.com/>

UVM also offers CATSride as a shuttle service on a first come, first serve basis. The intent of this shuttle service is to provide transportation between UVM sites within 10 miles of central campus. UVM employees and students can reserve a ride with the demand response-based service by scheduling in advance or can reach out directly to the shuttle for same day service.

Local and regional bus routes via GMT serve students and employees beyond the on-campus routes, with fare free transit available to all users tentatively until later in 2023. It is anticipated that UVM will continue to provide funding to enable their affiliates to ride GMT bus routes for free with a valid UVM ID should fares be reinstated.

A key to limiting the need for students to come to campus with a vehicle is connecting students to transportation options around break times. UVM provides shuttle services between campus and Downtown Transit Center for connections to regional bus services, Amtrak stations in Burlington and Essex Junction, and Burlington International Airport prior to and following school recess periods. Shared shuttle services with Champlain College around break times are also offered.

Monitoring, Compliance, and Enforcement

UVM has enabled technology to assist their diligent efforts in monitoring and enforcing the parking plan on campus. UVM has implemented a virtual parking permit system that utilizes license plate reader technology. Permit holders no longer use hang tags, but rather their registered vehicle's license plate serves as the key to the permit they hold. LPR equipped service vehicles monitor all of the parking areas on campus routinely, identifying the vehicles parked on campus and whether they are parked appropriately given the permit type.

In 2022, over 8,000 citations were issued, with the most common violations of parking with no valid permit (2,994), in a restricted area (1,781), or parking in an expired space (1,268). Fines for expired metered spaces are \$25, for parking in restricted areas are \$30, and for parking with no valid permit are \$50. Habitual offender fines go up significantly, with habitual offenders in expired spaces fined \$80, in restricted areas fined \$90, and without a valid permit \$110. These fines act as a significant deterrent to improper parking on campus.

In addition to the daily monitoring, quarterly counts are conducted for a three-day period at every lot during peak times (i.e. intervals starting at 10AM, 12PM, and 2PM).

Other Key Areas of Concern

Although the JIPMP is generally focused on the peak demand for parking, it is recognized that concerns regarding special event parking have been raised. UVM has a clear set of procedures for accommodating events with significant parking demand on

campus. Event parking areas can be dedicated for an event or commingled, depending on the size of the event. These events tend to fall outside of the typical peak demand times, relegated generally to the evenings and weekends when many of the employee and student commuters accessing campus are not parked in campus spaces. In the efficiency-based standards framework, this opportunity to share parking resources during periods of underutilization for other purposes (i.e. daytime commuter parking) would be viewed positively. In alignment with efficiency-based standards, the written protocol for events allows for the parking in closest proximity to the event to fill up first. Should that primary parking fill, the assigned officer and staff will shift to reroute parking demand to overflow parking designated for the event. This overflow parking is served by shuttles to and from the main entrance of the event. For events that regularly utilize the overflow parking, like major sports events, attendees are encouraged to utilize the overflow parking and shuttle service. During Commencement, UVM's largest event annually, the University is able to manage the demand within the institution's resources to meet the needs of the event.

5

University of Vermont Medical Center

The University of Vermont Medical Center (UVMMC) is designated as a Level I Trauma Center situated in an academic teaching and research hospital serving the Vermont and Northern New York region. The campus in Burlington is the hub of a large, integrated healthcare system in partnership with an extensive network of hospitals and healthcare facilities throughout the region. Partnership with the Larner College of Medicine and College of Nursing and Health Sciences at UVM enables training for the next generation of healthcare professionals and innovation through advancing research.

The UVMMC campus sits prominently on the hill in Burlington adjacent to the UVM core campus area. Founded in 1879, the original hospital was partially housed in the Mary Fletcher Hospital building that still sits on the site today. The hospital's campus has expanded significantly over the years, adding buildings and square footage to support the hospital's mission and growing role in serving the communities of Vermont and Northern New York.

UVMMC campus is flanked on three sides by Colchester Avenue, East Avenue, and Main Street. Each of these three perimeter roadways provide entrance access points to the campus. Additional internal roadways and pathways, including Carrigan Drive and Beaumont Avenue, allow for circulation within the site.

Existing & Anticipated Infrastructure and Development Plan

The main medical center campus has 786,057 gsf serving the hospital's in-patient units, 35,597 gsf serving educational purposes, and an additional 877,085 gsf serving other purposes. Satellite sites within Burlington account for an additional 197,922 gsf of building space, with 1 South Prospect making up the majority of that area with 149,404 gsf. The hospital's infrastructure is served by 3,788 parking spaces, with 2,500 of the spaces in on-site facilities including the ACC Garage, Emergency Room Lot,

McClure Garage, South Lot, and 1 South Prospect. Off-site lots include 1,276 additional spaces with 86 spaces available at other off-site Burlington satellite facilities¹⁹ and the remaining at lots served by shuttle services.

At the time of this document, projects being contemplated include evaluation of the McClure Parking Garage due to deteriorating structural conditions and potential adjustments to leased satellite parking. There are no plans for projects within Burlington that would alter building square footage. The previously approved JIPMP had no plans for changes to building or parking footprints for UVMMC.

Existing & Anticipated Community Population

The UVMMC is a hospital with 580 licensed in-patient beds. In 2022, the average daily number of appointments and procedures was approximately 2,952 per day across the Medical Center Campus, 1 South Prospect, and other Burlington sites, including in person and telehealth visits. That accounts for nearly 675,000 in person appointments or procedures across the year or over 750,000 total visits. One practice that continues to serve the patient population of UVMMC is telehealth visits. With a significant rise in telehealth visits during the COVID pandemic, data from 2022 indicates that this practice will continue to serve some baseline portion of visits that would otherwise be in person. For 2022, approximately 10% of appointments were served via telehealth, amounting to over 75,000 additional patient appointments over the year served without a need for patient transportation to or parking on campus.

There are a total of 6,475 employees of UVMMC that report to sites within Burlington. The main medical center campus accounts for 5,725 of those employees with another 646 at 1 South Prospect and the remaining 104 at other sites in Burlington. In addition to the paid staff, there are also honorary members of the medical staff and volunteers that are regularly on campus to serve the patients and visitors, with 188 total individuals that fill these roles.

Existing & Anticipated Parking Demand

As previously discussed, the peak parking demand was estimated using two methodologies: utilization counts and survey data. The parking supply for UVMMC is currently at 2,500 on-site spaces. The demand was evaluated based on the employees that report to sites within Burlington and are parking on-site, as well as patients and visitors accessing the facilities and parking on-site. The analysis here focused on the on-site parking supply and demand, however, the full system parking including off-site and satellite parking was included in the *Institutional Supplement*. These spaces within Burlington are spread across the lots as

¹⁹ These additional spaces do not include 184 Peel Street, which is leased by UVMMC, but staffed by others with no UVMMC affiliated parking.

depicted in Figure 9. In addition, Figure 9 demonstrates the average parking utilization rates for each UVMMC lot. These rates are based on the quarterly lot counts conducted across three days during peak periods.

Figure 9 University of Vermont Medical Center Average Utilization Rates



The maximum parking utilization was compared across the available data from previous peak period observations to demonstrate changes over time. The parking utilization trends in Figure 10 demonstrate slightly reduced demand through the Fall 2020 to Summer 2021 period, but still remained above 73%. Parking utilization has not returned to the above 90% peak utilization like that observed prior to the COVID pandemic. The maximum peak utilization is most recently hovering in the mid-80% range.

The current peak parking demand for UVMMC is estimated to be 1,941 vehicle spaces based on observed peak parking utilization counts for on-site facilities, demonstrating a net available parking supply of 559 spaces. Peak parking demand based on survey data indicates peak parking demand of 2,145 spaces in on-site facilities, or a net surplus of 355 spaces. It is noted that this estimate and its future projections represent a likely overestimation of peak parking demand.

Future parking demand was estimated from the surveyed mode trends by user groups, accounting for any anticipated changes to infrastructure and user populations described above. For UVMMC, the employee population, patients served, and visitor activity are expected to remain consistent with the current status. The infrastructure is also anticipated to remain consistent with no changes to buildings and limited changes to on-site parking supply. Assuming mode trends remain consistent with current behavior for each user group, the on-site parking surplus is anticipated to be 355 spaces projected to 2028.

Figure 10 University of Vermont Medical Center Parking Utilization Trends

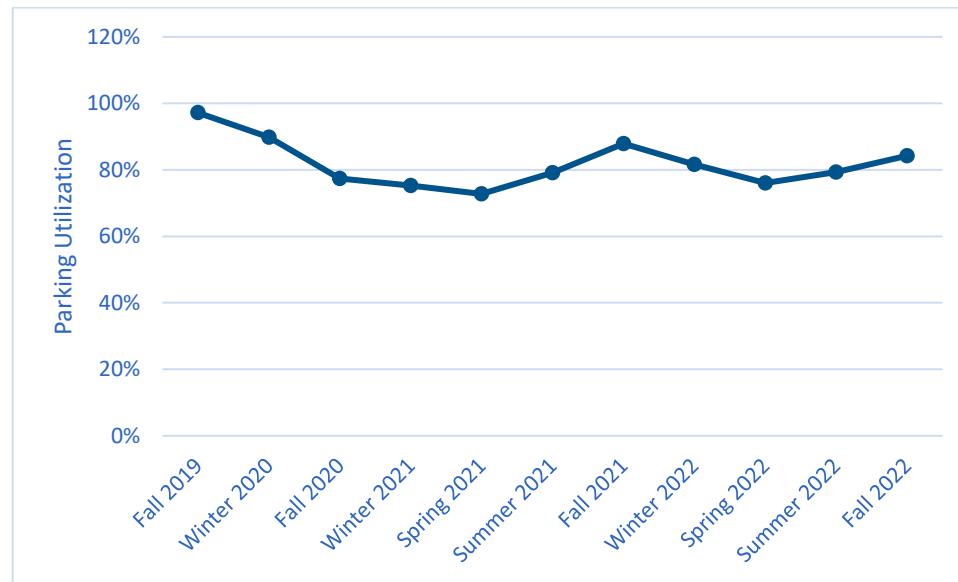


Table 14 University of Vermont Medical Center Current Parking Demand

UVM Medical Center			
User Group	Number of Users	Peak Parking Demand ¹	
		% of Users	Spaces
Medical Center Campus			
Employees	5725	13.7%	785
Out-Patients ⁴	2388		700
In-Patients ⁴			75
Visitors ²			250
Fleet			11
Subtotal			1,821
1 South Prospect			
Employees ³	646	11.7%	75
Out-Patients ⁴	563		230
Fleet			10
Subtotal			315
Other			
Employees	104	8.3%	9
Subtotal			9
Peak Parking Demand Based on Survey ⁵			2,145
Peak Parking Utilization Based on Counts ⁶			1,941
Total Parking Supply			2,500
Net Spaces Peak Demand			+355
Net Spaces Peak Utilization			+559

1. Peak parking demand is calculated from data collected in the 2022 CATMA Employee and Student Transportation Survey using the methodology described in Appendix A. "% of Users" consists only of car users who are on campus at peak time.

2. UVMMC volunteers are included in visitor parking demand, as volunteers park in the ACC Garage and get a voucher to avoid paying upon their departure.

3. Employees of 1 South Prospect assigned to Centennial have been allowed to park on-site due to suspended shuttle service.

4. Average daily patient estimates are based on total annual in person and telehealth appointments and procedures by location for 2022 at the Medical Center and 1 South Prospect facilities. Patient and visitor parking is allocated to 50% of the parking supply on-site. Policies are in place should the patient parking demand exceed this supply.

5. Total peak parking demand has a margin of error of ± 122 spaces.

6. Peak observed parking utilization occurred on October 4th, 2022 at 10 AM and has a margin of error of ± 65 spaces based on 2022 count data.

Table 15 University of Vermont Medical Center Future Parking Demand 2028

UVM Medical Center			
User Group	Number of Users	Peak Parking Demand ¹	
		% of Users	Spaces
Medical Center Campus			
Employees	5725	13.7%	785
Out-Patients ⁴	2388		700
In-Patients ⁴			75
Visitors ²			250
Fleet			11
Subtotal			1821
1 South Prospect			
Employees ³	646	11.7%	75
Out-Patients ⁴	563		230
Fleet			10
Subtotal			315
Other			
Employees	104	8.3%	9
Subtotal			9
Peak Parking Demand Based on Survey			2,145
Total Parking Supply			2,500
Net Spaces Peak Demand			+355

1. Peak parking demand is calculated from data collected in the 2022 CATMA Employee and Student Transportation Survey using the methodology described in Appendix A. "% of Users" consists only of car users who are on campus at peak time.

2. Average daily patient estimates are based on total annual in person and telehealth appointments and procedures by location for 2022 at the Medical Center and 1 South Prospect facilities. Patient and visitor parking is allocated to 50% of the parking supply on-site. Policies are in place should the patient parking demand exceed this supply.

3. Employees of 1 South Prospect assigned to Centennial have been allowed to park on-site due to suspended shuttle service.

4. Patient parking is allocated to 50% of the parking supply on-site. Policies are in place should the patient parking demand exceed this supply.

Fleet

UVMMC fleet is comprised of 40 vehicles total and 28 are typically circulating in Burlington. The fleet includes cargo vans, ambulances, trucks, SUVs, and other vehicles. All but five of UVMMC fleet vehicles are typically parked in designated “Service Only” spaces.

Highlighted Strategies

Parking Restrictions and Permits

There are clear directions and information regarding parking locations and prices for UVMMC patients and visitors on the UVMMC website. For patients and visitors, on-site parking is available in a garage adjacent to the main campus with entrances to the hospital at each garage level. There is also curbside service including assistance to patients and valet parking service. Valet service is available for \$8 per vehicle Monday through Friday from 6 AM to 5 PM, with the ability to retrieve vehicles until 9 PM. Patients or visitors with valid handicapped parking placard or plate displayed can park for free in the parking garage.

For employees, UVMMC has a detailed parking policy that outlines parking requirements based on job title and shift. All UVMMC staff and affiliates who wish to park their vehicles in a UVMMC controlled parking lot must register their vehicle with the UVMMC Security Department. The hang tags are color coded based on parking assignment (on-site lot or satellite lot). The satellite lots include a free shuttle to the main campus. Generally on-site parking is limited to permits reserved for senior staff, physicians, residents, business needs, and medical needs. For on-call employees, parking is also available on site. In 2022, there were 1,773 permits issued for parking on-site of the 8,138 permits issued total.

Telework & Telehealth

UVMMC has a Remote and Hybrid Work Policy to increase employee engagement and job satisfaction. By allowing remote work, UVM Medical Center expects to realize the efficiencies of decreased turnover, reduced office and parking space needs, and increased work productivity. There are several remote designations, On-site Flex (0-30%), Hybrid Flex (31-70%), Remote Flex (71-100%). The amount of time spent remote is indicated by the numerical values.

Telehealth continues to serve some of the patient and visitor demand for parking on the Medical Center Campus. As previously discussed, telehealth visits represented approximately 10% of patient appointments and procedures for UVMMC based on 2022

figures. It is anticipated that this trend will continue to serve a baseline need in the community and effectively reduce the daily demand for patient and visitor parking on site.

Carpool

UVMHC has a robust and mature carpooling policy for employees with a strong incentive program. Employees who carpool are provided with the opportunity to park in more desirable parking lots, receive gas coupons, and utilize the guaranteed ride home program from CATMA. Employees who wish to carpool must register as a carpool group with the UVMHC Security Department. The carpool program issued 427 carpool permits for 854 participants in 2022, demonstrating the program's popularity.

Bike parking, in particular covered bike parking, is also an area receiving some attention from UVMHC. Re-envisioning of the covered bike parking just outside of the McClure building, which is often full, to maximize the space available and accommodate more bike parking in close proximity to a key entrance of the facility. UVMHC is exploring making this area secure bike parking with fencing for employee bike parking. This project is just one example of the multimodal enhancements taking place to better serve active or alternative modes of transportation to and from UVMHC.

Shuttle and Transit Services

For employees accessing the Medical Center Campus through off-site parking, UVMHC contracts with a bus company to serve the off-site lots with shuttle service. The shuttles serve AM and PM peaks with more frequency of service and more shuttle buses in circulation to serve start and end of shift transit. The off-site lots generally have between 59 and 76 shuttle runs per day serving trips between the hours of 4:15 AM and 9:20 PM. The exception to this is the shuttle serving Centennial and 1 South Prospect, which typically operates with 30 shuttle runs per day serving the AM and PM peaks and on demand service midday. These two lots are in close proximity of the Medical Center Campus, with many users choosing to walk between parking and campus. This Centennial and South Prospect shuttle service is currently suspended due to COVID, and 1 South Prospect staff assigned to Centennial are allowed to park on-site in the interim.

UVMHC has supported discounted local and regional bus transit service for employees in the past. With fare free transit in place, this subsidy has not been tracked through the pandemic. This discounted transit opportunity would return and be tracked should fares return as tentatively planned in 2023. UVMHC has continued to support subsidized ferry service for employees that reside in New York to utilize Lake Champlain Ferries for commuting purposes. For October 2021 through September 2022, an average of 93 monthly car and driver passes and 13 passenger ten ride passes were discounted through this program.

For patients, UVMHC and Special Services Transportation Agency (SSTA) have partnered to provide shuttle services between the Downtown Transit Center and practices within the UVMHC network, like the Tilley Drive and Hinesburg Road locations.

The shuttle service is a free, scheduled service running weekdays between 7:30AM and 4:25PM with reliable and accessible service. UVMMC continues to identify ways like the Tilley Drive Shuttle to serve employees and patients with more efficient transportation options.

Monitoring, Compliance, and Enforcement

The parking on-site and off-site that serves UVMMC is diligently monitored and regulated parking is enforced by UVMMC Security staff per the procedures set forth in the University of Vermont Medical Center Parking and Parking Enforcement Policy documents. UVMMC has a strict vehicle registration and parking permit system that employees are expected to comply with. There are penalties of \$10 for violating any of the parking policies. Repeat offenders are subject to towing/booting at owner's expense with violation notifications to direct supervisors for corrective action. Repeat offenses may result in forfeiture of future parking in UVMMC facilities.

6

Conclusions

This JIPMP demonstrates the ability of the Hill institutions collectively and individually to meet parking demand both currently and in the near-term future. Champlain College, UVM, and UVMMC are jointly committed to continued progress on reducing drive alone, single occupancy vehicle access to their campuses rooted in overarching commitments to climate initiatives. They have demonstrated pursuit of efficiency-based parking management, enabling various TDM strategies to actively manage and mitigate parking demand and encourage alternative mode use.

Two different methodologies demonstrated that the parking supply will serve the peak demand for parking on each institution's campus both currently and into the future. It is noted that the more robust count program that is now in place serves to provide the ground truth for observed parking demand on each respective campus. This data is invaluable to demonstrating the ability of each institution to meet the peak parking demands of their populations. Given these data can only provide a look back at how the demand was served, it is important to have the secondary method of estimating demand based on survey data to demonstrate both current and future peak parking demand, even if these estimates are notably inflated compared to the demonstrated parking utilization. These two methods likely provide the book ends of the actual parking demand on campus at peak times.

The findings shared here will be supplemented over the next five years with annual updates to track demand trends and efficacy of demand management strategies employed.

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A

Appendix A

Lot Counts

The institutions continue conducting quarterly lot counts for three days (Tuesday, Wednesday, and Thursday) and three times (10:00 AM, 12:00 PM, 2:00 PM) to support the 5-year and annual JIPMPs. This constant and consistent data collection has strengthened our demand estimations in the 5-year JIPMP.

There are advantages and drawbacks to using lot counts or survey data to estimate demand. Though lot counts are an inexpensive method to calculate parking demand, they are also usually only representative of a limited time frame. This limitation means typical peak demand may not be captured due to variability (i.e. seasonal mode change, time-off, etc.), and may underestimate demand. Survey data may overestimate demand because it fails to capture daily variation seen in lot counts. However, survey data can break down demand by user group, understand different mode trends, and can forecast future demand patterns. For more information about the advantages and drawbacks of lot counts and survey data for estimating demand, please see the 2020-2022 JIPMP Appendix B which was provided by Jonathan Dowds formerly with UVM's Transportation Research Center.

Survey Administration

The 2022 CATMA Student & Employee Transportation Surveys were launched on October 4, 2022. Direct solicitation emails were sent to employees and students. Table A-1 describes the solicitation process in more detail.

Table A-1. Overview of CATMA's 2022 Transportation Survey solicitation and responses.

	Launch Date	Population Total	Solicitation Total	Total Responses	Response Rate	Margin of Error
Student Survey						
Champlain	10/4/2022	1,736	1,781	416	24%	4%
UVM	10/4/2022	14,088	1,000	189	19%	7%
Employee Survey						
Champlain	10/4/2022	612	944	175	19%	6%
UVM	10/4/2022	4,254	1,000	304	30%	5%
UVMCC	10/4/2022	6,371	8,572	2,279	27%	2%

Survey Weighting

With guidance from UVM's Transportation Research Center, the results of CATMA's 2022 surveys were weighted using population parameters provided by the institutions. Survey weighting is intended to weight survey responses in a way that is reflective of the actual population. This process corrects for segments in population who are either under or overrepresented by those who answered the survey.

Demand Calculation

The demand estimation calculation used in the 2020-2022 JIPMP was provided by UVM's Transportation Research Center. Rather than finding the peak time on campus for all users and the demand for parking of all users, this calculation relies on the peak time on campus for auto-users. This adjustment is reflected by the **peak parking demand percent** listed in each demand calculation (see Table A-2). By making this slight distinction, some overestimation of demand is reduced as well as a reduction in the margin of error.

Peak parking demand percent is calculated by first finding the time the most auto users are on each campus. For employees and off-campus students, auto users are either those who drive alone and half of those carpool as their main mode. For on-campus students, auto users are all individuals who own a car. Then, a proportion is created for each user group (employees, on-campus students, and off-campus students) by taking the number of auto users on campus at peak time and dividing it by the total number of individuals in that user group in the survey. That percentage (which is the peak parking demand percentage) is

multiplied by the total number of users in that group given by the institution which results in demand (see Figure A-1 for formulas).

Table A-2. Summary of peak parking demand on each campus as identified by the 2022 CATMA Employee and Student Transportation Surveys.

Champlain College	Thursday	12:00 PM – 2:00 PM
UVM	Wednesday	2:00 PM – 4:00 PM
UVM Medical Center	Monday	2:00 PM – 4:00 PM

Figure A-1. Top: Formula for calculating peak parking demand percent for employees and off-campus students. Bottom: Formula for calculating peak parking demand percent for on-campus students.

$$\text{Peak Parking Demand \%} = \frac{\text{Drive Alone at Peak Time} + \frac{1}{2}(\text{Carpool at Peak Time})}{\text{All Users}}$$

$$\text{Peak Parking Demand \%} = \frac{\text{Own Vehicle}}{\text{All Users}}$$

Margin of Error

The margin of error is the range within which a true value may be found given a certain confidence interval. All margins of error reported in the 2023-2028 JIPMP are within a 95% confidence interval. The margins of error were calculated using the Complex Samples modules in SPSS and were found for the peak parking demand percent for each user group. For each of the institutions, the composite margin of error was found by summing the squares of each user group's margin of error and taking the square of root of the sum. Knowing the margin of error is useful, because within a 95% confidence interval, we can know the total parking demand for any institution is above or below a certain percentage of the estimated demand given.

B

Appendix B

Comprehensive Development Ordinance – Parking

Sec. 8.3.3 Institutional Parking Management Plans

An Institutional Parking Management Plan shall include the following:

- (a) A narrative that outlines how the proposed parking management plan addresses the specific needs of existing and anticipated development and effectively satisfies the intent of this Article and the goals of the Municipal Development Plan.
- (b) Information specifying the current and anticipated numbers over the ensuing 5 year period for: number of students of all academic programs (full-time, part-time, commuter, on-campus, off-campus, and continuing education), faculty and staff (full-time and part-time), patients and visitors being served by the institution.
- (c) An analysis of the anticipated parking demand by user group, time of day and/or demand by use and parking provided to meet that demand currently and anticipated over the ensuing five-year period;
- (d) Information specifying the number and composition of the institution's vehicle fleet, where these vehicles are regularly kept, and designated "service vehicle-only" parking;
- (e) Strategies used to reduce or manage the demand for parking which may include but are not limited to:
 - 1. Policies which restrict and/or prohibit the bringing of vehicles to the institution for various users or groups of users;

2. A telecommuting program;
 3. Programs and employee and student subsidies to encourage the use of public transit, car-share, walking, and bicycling;
 4. Implementation of a shuttle service system serving off-site parking;
 5. Implementation of a parking permit system to allocate parking throughout the system; and,
- (f) Implementation of a monitoring, compliance and enforcement system to measure and ensure compliance with the plan.

Sec. 8.3.4 Review and Approval of Institutional Parking Management Plans

(a) Plan Approval

Such a plan shall require review and approval by the DRB, after consultation with the planning commission, and after a public hearing. In order to approve a proposed Institutional Parking Plan, the DRB shall find:

- a. the proposed Institutional Parking Plan adequately serves existing and proposed development and user groups by the institution(s);
- b. the proposed Institutional Parking Plan effectively meets the intent of this Article and the goals of the municipal development plan.

Such a plan, if approved by the DRB, shall be applicable for a period not to exceed five (5) years, and may be amended as necessary pursuant to the requirements of this Part. The DRB may approve one extension of up to six (6) months so long as the extension is requested prior to the Plan's expiration.

(b) Annual Reporting

The institution shall provide a report annually to the administrative officer regarding the implementation and performance of the approved plan and any significant changes in the size or makeup of user groups, parking supply, travel by mode for user groups, availability and utilization of parking management strategies, anticipated development activity, and any other conditions impacting supply and/or demand.

Failure to submit such annual report shall be a violation of this ordinance.

Sec. 8.3.5 Review and Approval of Applications for Future Development

Pursuant to Sec. 2.7.8 of this ordinance, no zoning permit or certificate of occupancy may be granted for projects which will impact the supply of or demand for parking without an approved or amended plan. Projects such as routine maintenance, repair, equipment installation, walkways, landscaping, installation of public art, and the like are exempt from this requirement so long as they do not result in a change of use, habitable area, or parking facilities upon which a plan's supply and demand calculations are based.

- (a) In reviewing any application for development from a post-secondary educational or medical institution within the Institutional district, the DRB shall find that the proposal is included and addressed within an approved Institutional Parking Plan and that the proposal is consistent with the approved Plan.
- (b) Any development proposed by a post-secondary educational or medical institution within the Institutional district that is not included and addressed within an approved Institutional Parking Plan shall only be approved pursuant to the underlying parking requirements of Parts 1 and 2 of this Article and upon approval of an amendment to an approved plan.

In addition to application requirements specified in Article 3 and this Part, the Institutions(s) shall submit an amendment to an approved plan that addresses how the development is consistent with or modifies supply and demand calculations and applicable TDM strategies contained in the approved Plan. Amendments may be in the form of an addendum that addresses any relevant sections of an approved Plan. The amendment shall be approved by either the administrative officer or DRB based on the underlying application type. Such developments shall be reflected in subsequent annual reports submitted to the administrative officer, and future plan updates.

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CHAMPLAIN
COLLEGE



The University of Vermont

THE
University of Vermont
MEDICAL CENTER

Joint Institutional Parking Management Plan Institutional Supplement

2023-2028

Prepared For: Development Review Board

Date: June 6th, 2023



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Purpose

The *Institutional Supplement* is intended to further detail the data gathered and analyzed in support of the *Joint Institutional Parking Management Plan* (JIPMP). These data are either further summarized within the JIPMP or not required by the JIPMP and instead documented here in support of the JIPMP and institutional planning purposes.

Champlain College

Table 1 Champlain College Parking Lot Counts

	10:00 AM	12:00 PM	2:00 PM
Winter 2022			
2/8/2022	394	396	390
2/9/2022	187	297	299
2/10/2022	386	403	392
Average	350	55%	
Maximum	403	63%	
Spring 2022			
4/19/2022	309	320	347
4/20/2022	273	279	310
4/21/2022	352	383	382
Average	329	52%	
Maximum	383	60%	
Summer 2022			
7/19/2022	185	181	186
7/20/2022	172	157	150
7/21/2022	166	176	170
Average	172	27%	
Maximum	186	29%	
Fall 2022			
10/4/2022	418	418	409
10/5/2022	363	362	380
10/6/2022	376	419	427
Average	397	62%	
Maximum	427	67%	
Total			
Average	312	49%	
Maximum	427	67%	

Table 2 Champlain College Infrastructure (included in GSF calculation and parking supply)

Name	Primary Use	GSF	Residential Beds	Parking Spaces
194 St Paul Street	Residential/Retail	175000	312	0
	(4,455 GSF Retail)			
308 Maple	Residential	5223	13	0
371 Main	Residential	13326	36	22
396 Main	Residential	8801	36	21
Adirondack Hall	Residential	4631	19	0
Aiken Hall	Administrative/Academic	13701	0	0
Bader Hall	Residential	8140	21	0
Bankus Hall	Residential	10432	45	0
Butler Hall	Residential	26730	89	0
Carriage House	Residential	2376	10	0
Center for Communications and Creative Media (formerly Hauke/Alumni)	Administrative/Academic	87187	0	0
Cushing Hall	Residential	9095	27	7
Durick Hall	Administrative	4036	0	3
Foster Hall	Administrative/Academic	7008	0	0
Freeman Hall	Administrative/Academic	11992	0	0
Garden House (ARC)	Administrative	4371	0	0
Goodhue Coolidge House	Administrative/Academic	4054	0	0
Hill Hall	Residential	9203	37	0
IDX Student Life Center	Administrative/Athletic/	49939	0	5
	Dining			
Jensen Hall	Residential	9972	36	9
Joyce Learning Center	Academic	20483	0	0
Juniper	Residential	28732	95	0
Lakeside Campus	Administrative	39552	0	267
(Miller Center at Lakeside)			0	
Lakeview Hall	Residential	18033	81	0
Lyman Hall	Residential	8550	36	0
Boardman Hall	Residential	31932	59	28

Name	Primary Use	GSF	Residential Beds	Parking Spaces
McDonald Hall	Residential	10922	45	0
Miller Information Commons	Academic	29860	0	42
North House	Residential	5402	16	10
Pearl Hall	Residential	10874	49	0
Perry Caretaker's Cottage	Residential	444	0	0
Perry Carriage Barn	Academic	5546	0	0
Perry Hall	Administrative/Academic	27847	0	16
Rowell Annex	Administrative	2882	0	0
Rowell Hall	Residential	9954	44	36
Sanders Hall	Residential	9716	36	8
Schillhammer Hall	Residential	7836	26	0
SD Ireland Family Center for Global Bus & Tech	Administrative/Academic	24390	0	0
Skiff Hall	Administrative	12493	0	15
Skiff Annex	Administrative/Academic	3354	0	0
South House	Residential	12608	47	12
Summit Hall	Residential	15271	48	30
The Skiff Gallery	Academic	633	0	0
Valcour Hall	Residential	30028	91	0
West House	Administrative	3718	0	0
Whiting Hall	Residential	9975	31	0
Wick Hall	Administrative/Academic	5265	0	0
Subtotal		851517	1385	531
Leased Facilities/Lots				
115 Lakeside Lot				100
158 South Willard	Residential (temporary)	10900	33	11
Total included in GSF		862417	1418	642
Total				717

1. Leased facilities do not contribute to the number of buildings or total GSF of Champlain College.
2. Residential beds in leased facilities included in total.
3. Includes leased spaces but not Maximum Parking

Table 3 Additional Champlain College Infrastructure (not included in GSF calculation or parking supply)

Name	Primary Use	GSF	Parking Spaces
194 St Paul St	Retail	N/A	67
390 Maple St	Residential	3,768	2
436 Maple St	Residential	4,297	2
115 Summit St (President's House)	Residential	3,487	2
270 South Willard St (Provost's House)	Residential	7,478	2
Total		19,030	75

Table 4 Current and Future Employment and Enrollment for Champlain College

	Current (2022)	Future (2028)
Employment		
On-Campus		
Full-time	353	380
Part-time	193	350
Contracted	66	100
<i>Subtotal</i>	<i>612</i>	<i>830</i>
Off-Campus		
Full-time	26	30
Part-time	263	280
Dublin and Montreal Campuses	22	25
Total in Burlington	901	1,140
Total	923	1,165
Enrollment		
On-Campus		
Full-time Undergraduates	1,675	2,080
First-Year	639	

	Current (2022)	Future (2028)
Second-Year	414	
Junior	311	
Senior	311	
Part-time Undergraduates	61	80
First-Year	13	
Second-Year	8	
Junior	10	
Senior	30	
Full-time Graduates	0	0
Part-time Graduates	0	0
<i>Subtotal</i>	<i>1,736</i>	<i>2,160</i>
Study Abroad		
Dublin, Montreal, & Third Party	30	40
<i>Subtotal</i>	<i>30</i>	<i>40</i>
Champlain College Online		
Full-Time Graduates	407	590
Part-Time Graduates	152	150
Full-time Undergraduate	550	500
Part-time Undergraduate	889	1250
<i>Subtotal</i>	<i>1,998</i>	<i>2,490</i>
Total	3,764	4,690

Table 5 Champlain College permit types, cost, and number of permits issued

Type	Users	Cost Per Semester	Permits Issued
Zone 1	Employees	Free / Pay-per-use	277
	Off-Campus Students	Free / Pay-per-use	202
Zone 2	On Campus Students	\$175	197
Main Campus	Main Campus Employee	\$200	76
Zone 5	Education majors & other students with work requirements	\$250	15
	Disabled	Free	17
	Contractor	Free	9
Total			793

Table 6 Citations given by Champlain College Transportation

Year/Semester	# of Valid Citations Issued	# of Warnings	Funds Collected	Cumulative Funds (Since 2004)
2006-2007	-	-	\$ 57,390	\$ 113,390
2007-2008	-	-	\$ 44,175	\$ 157,565
2008-2009	-	-	\$ 57,195	\$ 214,760
2009-2010	-	-	\$ 42,165	\$ 256,925
2010-2011	-	-	\$ 38,550	\$ 295,475
2011-2012	-	-	\$ 51,065	\$ 346,540
2012-2013	1,574		\$ 43,840	\$ 390,380
2013-2014	1,519		\$ 41,680	\$ 432,060
2014-2015	1,069		\$ 30,600	\$ 462,660
Summer 2015	111		\$ 5,585	\$ 468,245
2015-2016	1,326	105	\$ 31,475	\$ 499,720
Summer 2016	32		\$ 2,300	\$ 502,020
2016-2017	1,935	467	\$ 26,481	\$ 528,501
Summer 2017	156	46	\$ 995	\$ 529,496
2017-2018	2,073	274	\$ 28,502	\$ 557,998
Summer 2018	261	44	\$ 2,795	\$ 560,793
2018-2019	1,435		\$ 20,625	\$ 581,418
Summer 2019	245		\$ 2,575	\$ 583,993
2019-2020	1,113	92	\$ 16,963	\$ 600,956
Summer 2020	0		\$ -	\$ 600,956
2020-2021	456	335	\$ 13,100	\$ 614,056
Summer 2021	2		\$ 25	\$ 614,081
2021-2022	1201	1268	\$ 22,402	\$ 636,483
Summer 2022	22	28	\$ 200	\$ 636,683

University of Vermont

Table 7 University of Vermont Parking Lot Counts

	10:00 AM	12:00 PM	2:00 PM
Winter 2022			
2/8/2022	3,301	3,405	3,248
2/9/2022	3,387	3,469	3,219
2/10/2022	3,110	3,357	3,047
Average	3,283	73%	
Maximum	3,469	77%	
Spring 2022			
4/19/2022	2,882	2,868	2,801
4/20/2022	3,158	3,166	3,109
4/21/2022	3,058	3,038	3,033
Average	3,013	67%	
Maximum	3,166	70%	
Summer 2022			
7/19/2022	1,704	1,602	1,605
7/20/2022	1,788	1,790	1,736
7/21/2022	1,785	1,811	1,801
Average	1,736	38%	
Maximum	1,811	40%	
Fall 2022			
10/4/2022	3,320	3,508	3,331
10/5/2022	3,131	3,367	3,188
10/6/2022	3,432	3,342	3,174
Average	3,311	73%	
Maximum	3,508	78%	
Total			
Average	2,836	63%	
Maximum	3,508	78%	

Table 8 Infrastructure (by building use) included in UVM's GSF Calculation

Building Use	Accessory Buildings	Total Buildings	GSF	Residential Beds
Mixed Uses				
Academic / Administrative / Student Support	0	3	242,857	
Academic / Research	7	69	1,937,764	
UVM / UVMMC Academic Research	1	7	253,501	
Administration	10	33	510,524	
Athletics	6	17	475,948	
Student Support	3	20	501,978	
Residential				
Residential Academic	0	3	110,961	5,775
Residential Dining	0	4	260,602	
Residential Central Campus	2	7	209,342	
Residential Redstone Campus	0	14	408,954	
Residential Trinity Campus	0	12	147,174	
Residential Athletic Campus	0	11	591,503	
Total	29	200	5,651,108	5,775

Table 9 UVM Parking Supply by Campus Area

Parking Lot Location	Capacity	Leased Spaces	Usable Spaces
Athletic Commuter	1,733		1,733
Core Central	50		50
Core East	767	-100	667
Core North	369		369
Core South	135		135
Core West	431	-47	384
Commuter Lots	808	-485	323
Redstone Campus	626		626
Trinity Campus	314		314
Off-Site: Burlington ¹	54		54
Off-Site: Outside Burlington ²	210		210
Total in Burlington	5,287	-632	4,655
Total	5,497	-632	4,865

1. Includes parking at the Rubenstein Laboratory and Bioresearch Complex (South Campus).

2. Includes parking spaces at the Colchester Research Facility, Forestry Laboratory, and Miller Barn.

Table 10 Current and Future Employment and Enrollment for UVM

	Current (2022)	Future ¹ (2028)
Employment		
Staff		
Full-time	2,311	2,300
Part-time	155	160
Faculty		
Full-time	861	860
Part-time	927	930
<i>Non-Burlington Employees²</i>	<i>230</i>	<i>230</i>
<i>Subtotal</i>	<i>4,024</i>	<i>4,020</i>
Enrollment		
<i>Undergraduate</i>	<i>11,326</i>	<i>11,300</i>
First-Year	3,044	3,000
Second-Year	3,024	3,000
Junior	2,478	2,800
Senior	2,780	2,500
Graduate and Certificate	1,707	2,000
Medical Student	483	500
Non-Degree Continuing Education ³	572	700
<i>Subtotal</i>	<i>14,088</i>	<i>14,500</i>
Total	18,112	18,520

1. These numbers are projections only, based on UVM's current estimates as of the date of this document.

2. These employees are subtracted when determining the subtotal of employees because it is unknown whether these employees are faculty/staff or part-time/full-time.

3. Most students in Professional and Continuing Education programs either participate virtually or are on campus for limited amounts of time.

Table 11 UVM permit types, cost, and number of permits issued

Category	Type	Cost	Permits Issued
Employee Permits			
Green	Pre-Tax Payroll Deduction	0.64%	2,939
	Affiliate	\$ 329	
	Affiliate 30-Day	\$ 41	
White	Pre-Tax Payroll Deduction	0.48%	
	Affiliate	\$ 247	
	Affiliate 30-Day	\$ 31	
Brown	Pre-Tax Payroll Deduction	0.32%	
	Affiliate	\$ 165	
	Affiliate 30-Day	\$ 21	
Silver (Off-Site)	Pre-Tax Payroll Deduction	N/A	
	Affiliate		
	Affiliate 30-Day		
Occasional Use	Permit 6-12 Days	N/A	193
	Brown (Peripheral)	\$ 12	
	White (Proximate)	\$ 18	
	Green (Main)	\$ 24	
Carpool (All carpools are paid through Pre-Tax Payroll Deduction)	Green - 2 Person	0.32%	
	Green - 3 Person	0.21%	
	Green - 4 Person	0.16%	
	White - 2 Person	0.24%	
	White - 3 Person	0.16%	
	White - 4 Person	0.12%	
Student Permits			
Residential	30-Day Black, Blue, Purple, and Red	N/A	1,186
	Temporary (1 Semester)	\$ 180	
	Black, Blue, Purple, and Red	\$ 330	
	30-Day Brown	N/A	1,333

Category	Type	Cost	Permits Issued
Commuter and Graduate Students/Medical Students (1st & 2nd Year)	30-Day Gold	N/A	
	Gold - Evening	\$ 69	
	Gold - Evening (1 Semester)	\$ 45	
	Brown - Day & Evening	\$ 115	
	Brown - Day & Evening (1 Semester)	\$ 73	
Medical Students (3rd & 4th Year)	Yellow - Day & Evening	\$ 329	303
	30-Day Yellow	\$ 30	
Occasional Use	Brown	\$ 12	11
	White	N/A	0
	Yellow	N/A	0

Table 12 Citations given by UVM Transportation and Parking Services

Violation	Fine	Citations Issued	Funds Collected
No Valid Permit	\$ 50	2994	\$ 149,700
Habituals/Warning-No Permit	\$ 50	347	\$ 17,350
Habitual Offender-No Permit	\$ 110	409	\$ 44,990
Restricted Area	\$ 30	1781	\$ 53,430
Habituals/Warning Restricted Area	\$ 30	216	\$ 6,480
Habitual Offender- Restricted Area	\$ 90	307	\$ 27,630
Expired Space	\$ 25	1268	\$ 31,700
Habituals/Warning-Expired Space	\$ 25	206	\$ 5,150
Habitual Offender-Expired Space	\$ 85	351	\$ 29,835
Unauthorized Permit	\$ 80	101	\$ 8,080
Habitual Offender Unauthorized Permit	\$ 140	4	\$ 560
Falsified Information	\$ 80	0	-
Handicap Space	\$ 80	21	\$ 1,680
Relocating at Owner's Expense			
Roadway			
Total		8,005	\$ 376,585

University of Vermont Medical Center

Table 13 University of Vermont Parking Lot Counts – All Lots

	10:00 AM	12:00 PM	2:00 PM
Winter 2022			
2/8/2022	2,861	2,873	3,369
2/9/2022	2,886	2,944	3,306
2/10/2022	2,903	2,939	3,262
Average	3,039	75%	
Maximum	3,369	84%	
Spring 2022			
4/19/2022	2,828	N/A	2,865
4/20/2022	2,781	N/A	2,803
4/21/2022¹	950	N/A	1,066
Average	2,216	55%	
Maximum	2,865	71%	
Summer 2022			
7/19/2022	3,098	N/A	3,141
7/20/2022	3,000	N/A	3,060
7/21/2022	2,892	N/A	2,997
Average	3,032	75%	
Maximum	3,141	78%	
Fall 2022			
10/4/2022	3,082	N/A	3,029
10/5/2022	2,897	N/A	2,944
10/6/2022	2,849	N/A	3,023
Average	2,971	74%	
Maximum	3,082	76%	
Total			
Average	2,839	70%	
Maximum	3,369	84%	

¹ Only satellite lots counted.

Table 14 University of Vermont Parking Lot Counts – On-Site Lots Only

	10:00 AM	12:00 PM	2:00 PM
Winter 2022			
2/8/2022	1,398	1,411	1,881
2/9/2022	1,458	1,482	1,804
2/10/2022	1,434	1,480	1,871
Average	1,580	69%	
Maximum	1,881	82%	
Spring 2022			
4/19/2022	1,697	N/A	1,753
4/20/2022	1,684	N/A	1,723
4/21/2022	N/A	N/A	N/A
Average	1,715	74%	
Maximum	1,753	76%	
Summer 2022			
7/19/2022	1,765	N/A	1,828
7/20/2022	1,681	N/A	1,774
7/21/2022	1,684	N/A	1,732
Average	1,744	76%	
Maximum	1,828	79%	
Fall 2022			
10/4/2022	1,941	N/A	1,885
10/5/2022	1,774	N/A	1,804
10/6/2022	1,728	N/A	1,929
Average	1,844	80%	
Maximum	1,941	84%	
Total			
Average	1,705	74%	
Maximum	1,941	84%	

Table 15 GSF of UVM Medical Center buildings.

Building Use	GSF
Medical Center Campus	
Hospital (In-Patient)	786,057
Education	35,597
Other	877,085
<i>Subtotal</i>	<i>1,698,739</i>
1 South Prospect	
Other	149,404
Other Burlington Sites¹	
Other	48,518
Total	1,896,661

Notes

1. Not included in GSF for JIPMP calculations

Table 16 UVM Medical Center parking supply included in JIPMP.

Location	Number of Spaces
On-Site Parking	
Medical Center Campus	
ACC Garage	1,224
ACC Loading Dock	21
ER Lot	47
McClure Parking Garage	317
Patrick Loading Dock	9
South Lot	425
<i>Subtotal</i>	<i>2,043</i>
1 South Prospect	
Lot A	47
Lot B	178
Lot D	197
Pearl Street Lot	35
<i>Subtotal</i>	<i>457</i>
On-Site Total	2,500

Table 17 UVM Medical Center off-site parking supply (not included in JIPMP calculations for on-site parking).

Location	Number of Spaces
Off-Site Parking	
Other Burlington Sites	
95 St. Paul Street	0
112 Colchester Avenue	8
128 Lakeside Avenue	38
184 Pearl Street	12
195 Colchester Ave	40
199 Main Street	0
<i>Subtotal</i>	<i>98</i>
Off-Site Lots	
UVM Catamount East	285
UVM Centennial	200
UVM Jeffords Lot	100
UVM Core West	0
Fanny Allen Campus	155
Technology Park	200
115 Lakeside Ave	250
<i>Subtotal</i>	<i>1,190</i>
Off-Site Total	1,288

Table 18 Current and Future employment UVM Medical Center.

	Medical Center Campus	1 South Prospect	Other Burlington Sites	Total
Current (2022)				
Day Shift	2382	418	88	2888
Evening Shift	261	10	0	271
Night Shift	599	6	0	605
Rotating Shift	744	37	5	786
Day Shift	548	68	7	623
Evening Shift	55	3	0	58
Night Shift	78	0	0	78
Rotating Shift	138	19	1	158
Per Diem Employees	920	85	3	1008
<i>Employee Subtotal</i>	5,725	646	104	6,475
Current Total	5,725	646	104	6,475
Future (2028)				
Day Shift	2382	418	88	2888
Evening Shift	261	10	0	271
Night Shift	599	6	0	605
Rotating Shift	744	37	5	786
Day Shift	548	68	7	623
Evening Shift	55	3	0	58
Night Shift	78	0	0	78
Rotating Shift	138	19	1	158
Per Diem Employees	920	85	3	1008
<i>Employee Subtotal</i>				
Future Total	5,725	646	104	6,475

Table 19 Annual Daily Appointments and Procedures at UVM Medical Center

	2022 Annual Daily Appointments & Procedures	2022 Average Daily Appointments & Procedures (254 business days)
Medical Center Campus	566,847	2,232
1 South Prospect	108,061	425
Other Burlington Sites	23	-
Total	674,931	2,657

Table 20 Annual Daily Telehealth Appointments and Procedures at UVM Medical Center

	2022 Annual Daily Telehealth Appointments	2022 Average Daily Telehealth Appointments (254 business days)
Medical Center Campus	39,715	156
1 South Prospect	35,158	138
Other Burlington Sites	284	1
Total	75,157	295

Table 21 Total permits issued by UVM Medical Center

Location	Number of Permits
Medical Center Campus	
ACC permits	341
McClure Residents, Nurse practitioners, Phys Assistants, Midwives	565
Physicians (ACC permits)	138
Physicians (South Lot permits)	84
Carpools (854 Participants)	427
Business Needs	134
115 Lakeside, Day Shift	969
115 Lakeside, Rotator	593
Technology Park, Day Shift	418
Technology Park, Rotator Shift	178
Fanny Allen Shuttle Lot, Day Shift	368
Fanny Allen, Rotators	136
Centennial, Day Shift	302
Centennial, Rotators	241
South Lot	84
UVM Catamount East, Day Shift	407
UVM Catamount East ,Rotators	163
UVM Jeffords Lot, Day Shift	164
UVM Jeffords Lot, Rotators	101
Evening/Night	1240
1 South Prospect	
Centennial, Day Shift	679
Centennial, Rotator	129
Pearl	19
Taft	69
Main	189
Total Medical Center Campus	7,053
Total South Prospect	1,085
Total	8,138

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Burlington Planning Commission

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

To: Burlington Development Review Board
From: Burlington Planning Commission
Date: May 11, 2023
RE: 2023-2028 Joint Institutional Parking Management Plan

The Planning Commission has recently completed its review of the 2023-2028 Joint Institutional Parking Management Plan (JIPMP) submitted by Champlain College, University of Vermont and the University of Vermont Medical Center to meet the requirements of Article 8 of the Comprehensive Development Ordinance. During its review, the Commission noted four topics that it recommends the DRB consider in its own review of the JIPMP.

1. Margin of Error: UVM Parking Demand

One of the JIPMP's primary tasks is to document existing and anticipated parking demand for each of the institutions. The JIPMP calculates demand using two methodologies: utilization counts and survey data. CATMA and their consultants VHB describe these two methods as providing high- and low-end "bookends" in understanding parking demand. Regarding the survey data that estimates parking demand, the margin of error (MOE) noted in *Table 12: University of Vermont Current Parking Demand* is approximately 21 percent, which is excessively high. For reference, this same demand calculation in the previous JIPMP was just 4 percent. When questioned on this high MOE, CATMA explained that the cause for such a high MOE is an altered survey method as dictated by UVM's Office of Institutional Research and Assessment that resulted in a response rate that is lower than in previous years. While CATMA insists that the actual demand is more consistent with utilization counts and is on the lower end of the "bookends," the Commission recognizes that this is cause for uncertainty in understanding actual parking demand and that the DRB should seek clarity on this issue now and mitigate similar concerns in future JIPMPs.

2. JIPMP intent and reduced parking demand

According to the CDO, managing the Institutions' parking impacts on adjacent neighborhoods is a primary intent of the JIPMP. The current JIPMP shows raises concerns that demand may be outstripping supply within the Institutions' campuses. However, the Commission feels strongly that the focus of the JIPMP and related transportation planning should not be on increasing parking supply but reducing demand. To that end, the Commission would like to understand better what a healthy parking surplus would be at each of the institutions.

3. Transportation Demand Management and the JIPMP

As Burlington has removed minimum parking requirements and implemented parking maximums, the Commission feels that the intent of the JIPMP as stated in the CDO should be revised to reflect better an evolving transportation planning landscape. Rather than focus on a minimum supply of parking, the JIPMP should focus more on transportation demand management practices (TDM), which are a range of tools that the institutions employ to reduce vehicle miles traveled, decrease reliance on cars (especially single-occupancy vehicles), and encourage active transportation modes. To this end, the Commission feels that future JIPMPs should incorporate more objective data illustrating the impact of existing TDM practices and how those may be improved. Additionally, this goal should consider how the City's ongoing TDM revamp will inform future JIPMPs. Ultimately, these demand-side measurable standards should provide the basis for year-over-year comparisons of planning success.

4. Efficiency-based standards

On page 19, the JIPMP states that "the updated ordinance and recommitment to broader transportation demand management at the city scale represent a shift towards efficiency-based standards." The JIPMP defines efficiency-based standards as the "provision of optimal parking supply in an efficiently managed system." The definition is circular and it is the Commission's opinion that a new, non-circular definition should be provided in this and future JIPMPs. Future JIPMPs should also explain the ways that efficiency-based standards inform the methodology, analysis, and conclusions of the report.

Thank you,

Andy Montroll, Chair

Burlington Planning Commission

Department of Permitting & Inspections

Zoning Division
645 Pine Street
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Telephone: (802) 865-7188

William Ward, Director
Scott Gustin, AICP, CFM, Principal Planner
Mary O'Neil, AICP, Principal Planner
Garret King, Associate Planner
Joseph Cava, Planning Technician
Ted Miles, Code Compliance Officer
Ted Boylan, DPI Administrator



TO: Development Review Board
FROM: Scott Gustin
DATE: June 6, 2023
RE: Joint Institutional Parking Management Plan

=====

Note: These are staff comments only; decisions on projects are made by the Development Review Board, which may approve, deny, table or modify any project. THE APPLICANT OR REPRESENTATIVE MUST ATTEND THE MEETING.

Applicant: CATMA

Request: Review of 2023-2028 Joint Institutional Parking Management Plan

Applicable Regulations:
Article 8 (Parking)

Background Information:

The applicant proposes a Joint Institutional Parking Management Plan (JIPMP) for a 5-year period spanning 2023-2028. The current JIPMP expired June 1, 2023. Sec. 8.3.2, *Applicability*, of the Comprehensive Development Ordinance requires the post-secondary and medical institutions within the Institutional zone to prepare, maintain, and monitor a comprehensive parking management plan. Institutional parking management plans are typically valid for 5 years. The latest plan was approved for only 2 years (plus a 6-month extension) due to a number of concerns related to COVID-19 impacts, event parking, transportation demand management, and off-peak parking demand. The proposed JIPMP addresses the points raised by the DRB in the prior plan approval.

The Planning Commission reviewed the proposed JIPMP at their April 25 and May 9, 2023 meetings. They voted to forward the plan to DRB for review and noted four topics for DRB consideration:

- Margin of Error: UVM Parking Demand
- JIPMP intent and reduced parking demand
- Transportation Demand Management and the JIPMP
- Efficiency-based standards

The cover memo accompanying the proposed JIPMP addresses two of these items – the margin of error and efficiency-based standards.

Since approval of the prior JIPMP, Article 8 has been substantially amended. Most significantly, parking minimums have been eliminated. Prior JIPMP's have basically served as parking waivers for the institutions. With the elimination of parking minimums, the institutional parking plan standards have been revised to more holistically address transportation demand management and the balance between parking supply and demand now and in the future.

Recommendation: Approval of the Joint Institutional Parking Management Plan as per, and subject to, the following findings:

I. Findings

Article 8: Parking

Sec. 8.3.4 Review and Approval of Institutional Parking Management Plans

(a) Plan Approval.

Such a plan shall require review and approval by the DRB, after consultation with the planning commission, and after a public hearing. In order to approve a proposed Institutional Parking Plan, the DRB shall find:

- a. the proposed Institutional Parking Plan adequately serves existing and proposed development and user groups by the institution(s);*

The proposed JIPMP addresses each of the three institutions' parking supply and demand, now and 5 years in the future. Numbers for present demand are based on two methods – actual lot counts and user surveys. Numbers for future demand are based on user surveys. The plan notes that user survey numbers are likely overestimations due to characteristics of the survey population and limitations on the extent of the survey. Improvements to surveys should be sought with future JIPMP's to address these present shortcomings. Context and background to the numbers are provided with parking utilization trends since 2019.

Champlain College shows a current peak demand of 427 parking spaces based on lot counts and 741 based on user survey. There is a parking supply of 642 spaces (plus 145 on-street spaces available per agreement with the City). Projected peak demand grows to 992 spaces with no increase in available parking supply.

UVM shows a current peak demand of 3,508 parking spaces based on lot counts and 4,943 based on user survey. There is a parking supply of 4,865 spaces (plus 379 ground lease spaces within campus). Projected peak demand grows to 4,988 spaces with an increase in parking supply to 5,503 spaces (plus 379 ground lease spaces).

UVMCC shows a current peak demand of 1,941 parking spaces based on lot counts and 2,145 based on user survey. There is a parking supply of 2,500 spaces. Projected peak demand remains unchanged at 2,145 spaces with no change to the available parking supply of 2,500 spaces.

The proposed JIPMP shows that each of the three institutions are presently balancing parking demand and supply. UVM and UVMCC show continued balance in the future. Anticipated demand for Champlain College shows a likely imbalance 5 years in the future. Decrease in demand is preferable to increase in physical parking supply. Within the forthcoming annual updates, there needs to be some assurance that parking supply and demand remain more closely aligned and demonstration of measures taken to achieve that balance. **(Affirmative finding as conditioned)**

- b. the proposed Institutional Parking Plan effectively meets the intent of this Article and the goals of the municipal development plan.*

The express intent of Article 8 is to:

- (a) Ensure there are adequate parking and loading facilities to serve the use or uses of the property;
- (b) Ensure that parking facilities are designed to provide proper circulation, reduce hazards to pedestrians, and protect the users of adjoining properties from nuisance caused by the noise,

fumes, and glare of headlights which may result from the operation of vehicles parking off the street;

- (c) Reduce congestion in the streets and contribute to traffic safety; and
- (d) Encourage alternate modes of travel that will reduce dependence upon the single-occupancy automobile.

The proposed JIPMP addresses each of these criteria.

In their approval of the prior JIPMP, the DRB requested that the next Plan (currently proposed) address the following:

- *Anticipated impact of COVID-19 on short- and long-term parking demand.*

Part 2, Collective Institutional Summary, of the proposed JIPMP addresses COVID-19 impacts. Beyond the acute impacts to operations during the height of the pandemic, practices such as telecommuting, telelearning, and telehealth have been incorporated into ongoing operations of the institutions. Integration of these measures will enable ongoing lowered parking demand.

- *Available Parking Spaces on UVM campus. Please respond to concerns about available spaces on the UVM campus, including whether UVM's current parking demand exceeds UVM's effective available parking taking into account unmet/unfulfilled demand. Please respond to claimed discrepancies in actual parking limitations in approvals for individual projects on UVM campus.*

Part 4, University of Vermont, of the proposed JIPMP addresses UVM's parking supply and demand. A comprehensive breakdown of existing parking supply and demand is provided, along with an articulation of anticipated demand based on future trends and potential construction within the University. Table 12 depicts current parking supply and demand utilizing both the survey and lot count methods noted above. Observed peak parking demand (3,508 spaces) is below parking supply (4,865 spaces). Based on survey data, peak parking demand is 4,943 spaces. As noted by the Planning Commission the survey demand number has a 21% margin of error. An accompanying memo by the applicant addresses this margin of error and points to the actual lot count numbers and to the parking utilization trends depicted in Figure 7. Future parking demand noted in Table 13 shows a parking supply surplus (demand of 4,988 spaces with 5,503 spaces provided).

- *Pursuant to Article 8.3.3.b, an analysis of parking demand outside of designated peak hours including during daytime and evening events. Please provide an evaluation of how parking required for future large events will impact surrounding neighborhoods. What is the baseline for parking at the times of day when these events would occur, is there enough capacity to handle the size of proposed events, and if not, how frequently will available parking be exceeded per month? If space is not available on the UVM campus how will this need be met and will it result in increased on-street parking during events?*

Lot counts were taken at three different times of day over the course of three days each of every quarter of the year. These numbers provide the basis for peak parking demand, but they also reflect parking utilization during off-peak times. Event parking for UVM is addressed under Part 4, University of Vermont, Other Key Areas of Concern. This section

asserts that event parking is handled within the University's existing parking capacity and functions on the basis of shared use. Most events take place during off-peak evening hours for typical parking demand (i.e. employee and commuter student use). As such, the same parking spaces serving daytime users can also serve nighttime users. While the concept of shared use parking is clear and effective, this section could be strengthened with actual numbers associated with typical large events like hockey and basketball games. The parking lot counts provided are all during the daytime. Additional detail is needed.

- *Additional data, analysis, and enforcement plans for city street parking in nearby neighborhoods that may be burdened by institutional parking demands. Specifically, please provide numbers from Champlain college monitoring of off-street parking violations - how do these numbers compare to survey data in the report?*

Each of the institutions incorporate parking monitoring, compliance, and enforcement. The proposed JIPMP includes information as to nearby city streets that are commonly used by employees and students (see Part 2, On-Street Parking Adjacent to Institutions and related Table 3). Champlain College has an agreement with the City that allows for use of certain neighborhood streets by College affiliates and prohibits use of others. Part 3, Monitoring, Compliance, and Enforcement articulates enforcement measures specifically used by Champlain College. The College monitors and enforces its parking plan continuously, 24-hours per day and 7 days per week. Enforcement actions in the 2021-2022 school year reflected a 3X increase over the prior year.

- *TDM plans. Please provide additional information on what new measures are proposed by each institution as part of the JIPMP to reduce single occupancy vehicle trips and encourage greater public transportation/biking/walking/carpooling. What are the specific proposals to address existing increasing trends in single occupancy trips - particularly for UVM and UVM Medical. This should include a discussion of the effectiveness of prior TDM efforts and steps that can be taken to improve effectiveness as well as plans to mitigate any noted adverse trends such as increased drive-alone rates.*

Part 2, Collective Highlights & Strategies, of the proposed JIPMP outlines specific TDM measures and elaborates in detail on several of them. Taken in its entirety, the proposed JIPMP shows trends in parking demand and transportation modes. There is no express discussion of the effectiveness of prior TDM efforts and specific measures taken to improve effectiveness in this new plan. The plan notes that the specific efficacy of a given TDM strategy may be unknown, although some details are provided as to GMT ridership and CarShare Vermont impacts. Additional detail is needed.

- *Recommend TDM as a component of each institutions' Climate Initiatives. Please provide additional information whether each institutions' proposed TDM plans, programs, and efforts are consistent with the carbon emission reductions targets set by each organization. Please clarify how are the respective institutions' Climate initiatives integrated into the TDM in terms of parking demand, VMT and level-of-service goals, transit usage goals and public outreach.*

Part 2, Collective Highlights & Strategies, Climate Initiatives, addresses how each of the three institutions have integrated TDM into their climate action strategies. **(Affirmative finding except where need for additional detail is noted)**

II. Conditions of Approval

Assuming outstanding items noted above are addressed, the following conditions are recommended:

1. This approval is valid for 5 years.
2. Annual reporting is required per Sec. 8.3.4 (b) Annual Reporting of the CDO.
3. Annual reports must show that parking supply and demand for all three institutions remain balanced and shall demonstrate measures taken to achieve that balance.

Department of Permitting & Inspections

Zoning Division
645 Pine Street
Burlington, VT 05401
Telephone: (802) 865-7188

William Ward, Director
Scott Gustin, AICP, CFM, Principal Planner
Mary O'Neil, AICP, Principal Planner
Garret King, Associate Planner
Joseph Cava, Planning Technician
Ted Miles, Code Compliance Officer
Vacant, DPI Administrator



TO: Development Review Board
FROM: Scott Gustin
DATE: June 6, 2023
RE: ZP-23-33; 120 Depot Street

=====

Note: These are staff comments only; decisions on projects are made by the Development Review Board, which may approve, deny, table or modify any project. THE APPLICANT OR REPRESENTATIVE MUST ATTEND THE MEETING.

Zone: RM-W Ward: 3C

Owner/Applicant: Steve & Andrea Trombley

Request: Height variance request up to 60 feet.

Applicable Regulations:
Article 12 (Appeals and Variances)

Background Information:

The applicant is seeking a variance from the applicable height limit. The subject property is located within the Residential Medium Density – Waterfront zone. Per Table 4.4.5-3: *Residential District Dimensional Standards*, the building height limit within this zone is 35.’ The applicant is seeking a variance from this height limit up to 60.’

Most of the application materials focus on zoning amendment 21-07, *Building Height Measurement*, and how that amendment supposedly affected the applicant’s prior (denied) application ZP-22-307 to build a home at the property. This amendment changed some of the parameters as to how building height is measured, such as from just the building front versus from the average finished grade around the entire building. The amendment did not change any building height limits. The prior application set the proposed home 10’ from the front property line as approved in the front yard setback variance ZP-21-508 granted to this property. At 10,’ building height is measured on just the front façade. Zoning amendment 21-07 extended the 10’ to 50.’ This change had no bearing on the applicant’s prior application. Zoning amendment 20-09, effective as of October 21, 2020, did affect height limits and lowered the prior 60’ RM-W height limit to 35.’ This change took place well before the applicant purchased the property or filed an application to build on it.

This application was initially scheduled for review by the Development Review Board on April 18, 2023. The applicant requested deferral of review, and the DRB deferred review to June 6, 2023.

Previous zoning actions for this property are as follows:

- 9/7/22, Denial of new single family home
- 8/4/21, Re-approval of 10’ front yard setback variance
- 10/24/14, Approval of 10’ front yard setback variance

Recommendation: **Variance denial** as per, and subject to, the following findings:

I. Findings

Article 12: Variances and Appeals

Sec. 12.1.1 Variances

(a) That there are unique physical circumstances or conditions, including irregularity, narrowness, or shallowness of lot size or shape, or exceptional topographical or other physical conditions peculiar to the particular property, and that unnecessary hardship is due to such conditions, and not the circumstances or conditions generally created by the provisions of the zoning regulation in the neighborhood or district in which the property is located.

The subject property is dimensionally ordinary as a 4,180 sf rectangle; however, it is uniquely steep. It is also neighbored by through lots with frontage on Depot Street and North Avenue, hence the prior variance approval for the 10' front yard setback. Except for a small flat area at the top/eastern end of the lot, the property is uniformly steep. Any construction, anywhere on the slope will likely be challenging. **(Affirmative finding)**

(b) That because of such physical circumstances or conditions, there is no possibility that the property can be developed in strict conformity with the provisions of the zoning regulation and that the authorization of a variance is, therefore, necessary to enable the reasonable use of property.

The 10' front yard setback approved for this property previously, and currently, requires building height measurement of the building's front façade. Although the property is largely slopped, construction in compliance with the 35' height limit is possible. The applicant has submitted a project design for reference to demonstrate this possibility. Prior schematic project designs, predating the applicant's ownership, also demonstrate compliance with the height limit. **(Adverse finding)**

(c) The unnecessary hardship has not been created by the applicant.

The slope has not been created by the applicant. As noted above; however, it is possible to design a building utilizing the 10' front yard setback that complies with the 35' height limit. **(Adverse finding)**

(d) That the variance, if authorized, will not alter the essential character of the neighborhood or district in which the property is located, substantially or permanently impair the appropriate use or development of adjacent property, reduce access to renewable energy resources, nor be detrimental to the public welfare.

The requested variance is near double the applicable height limit. It would result in an uncharacteristically tall single family home. Its construction would not adversely impact the remainder of this criterion. It would not impair the appropriate use or redevelopment of adjacent properties, nor would it impact renewable energy resources or be detrimental to the public welfare. **(Adverse finding)**

(e) That the variance, if authorized, will represent the minimum variance that will afford relief and will represent the least deviation possible from the zoning regulation and from the plan.

As noted above, the requested 60' height variance is near double the applicable 35' height limit. It is not a minimal departure from the regulation, rather it is a substantial increase above the allowable limit. **(Adverse finding)**

(f) The variance, if granted, will not result in the extension of a non-complying situation or allow the initiation of a nonconforming use of land.

Except for the excessive height requested in the variance application, the variance would not result in the extension of a non-complying situation. The would-be home is a conforming use of the property. **(Affirmative finding)**

II. Reasons for Denial

1. Per the adverse findings above.

Description Amendment: We are seeking a variance from the current applicable height requirements for the house we are planning to build on the vacant lot at 120 Depot St. We are asking for a variance that allows us to utilize a design with a height not to exceed the 60 ft. indicated in Article 4.4.5 Height Exception for Waterfront RM District. The site has a steep slope covering the majority of the lot with access only from Depot St. at the bottom of the slope. The newly updated height requirement will necessitate a significant portion of the living levels be underground . This application is an attempt to restart the permitting process after the original effort was derailed by the change in requirements for calculating the height of the building during the original application process.

Steve & Andrea Trombley

101 Collamer Circle
Shelburne, Vermont 05482
802-279-0278

24Feb23

RE: Height Variance Request

We are seeking a variance from the current applicable height requirements for the house we are planning to build on the vacant lot at 120 Depot St. We are asking for a variance that allows us to utilize a design with a height not to exceed the 60 ft. indicated in **Article 4.4.5 Height Exception for Waterfront RM District**. The site has a steep slope covering the majority of the lot with access only from Depot St. at the bottom of the slope. The newly updated height requirement will necessitate a significant portion of the living levels be underground. This application is an attempt to restart the permitting process after the original effort was derailed by the change in requirements for calculating the height of the building during the original application process.

Prior to purchasing the property, we did our due diligence to make certain it was possible to build a house that would meet our needs and vision for the project. I have included, with our submittals, a time line (see attached Doc # 12) of events to help clarify the sequence of events during our original application process that led to our current situation. (A summary is included at the end of this document.)

Topics we would like to be part of the deliberations regarding the merits of our request.

1. To achieve a design that provides a home of sufficient size to accommodate our family, a majority of the structure will be below ground level if no accommodation is made. (See attached sketches Doc# 13)
2. Lowering the overall height of the structure necessitates moving the solar panels from the roof to separate solar pedestals on the upper level of the lot. These in my opinion are much less desirable from an aesthetics perspective.
3. Significantly reduced passive solar gain in the lower profile.
4. Substantial reduction in the percentage of natural slope retained, from nearly complete to very little (see attached sketches.Doc # 13, 14 & 15)
5. There were many opportunities for the folks at **Planning and Zoning** to notify me that there were pending updates that would affect our project, beginning with my first meeting with Scott Gustin that occurred the day prior to the first public hearing on the changes to the height ordinance.
6. The change in the regulations leaves no mechanism for addressing a sloped lot like ours.
7. The additional excavation required creates a whole new level of challenges and expense to accommodate the design change.
8. Article 4.4.5 Height Exception for Waterfront RM District (See Doc # 10)
9. Article 6.6.2 Supporting the use of Renewable Energy Resources (See Doc # 11)

Sec. 12.1.1 Variance Responses

(a) That there are unique physical circumstances or conditions, including irregularity, narrowness, or shallowness of lot size or shape, or exceptional topographical or other physical conditions peculiar to the particular property, and that unnecessary hardship is due to such conditions, and not the circumstances or conditions generally created by the provisions of the zoning regulation in the neighborhood or district in which the property is located.

The lot is steeply pitched with the slope beginning very close to the west edge of the property. The West side of the property (along Depot St) is the only access. The original design presented allowed for much of the natural slope to be maintained, significant passive solar exposure, high enough elevation to allow solar panels on the roof, a pleasant living space and met the height regulations that were in place at the time of application. To meet the new regulations and maintain a comparable design would require a significant portion of the building to be underground (see attached sketches). Underground to such an extent as to be as much an underground bunker as a traditional home design on Burlington's Waterfront. The variance is requested to allow for a building design that is primarily above ground, has sufficient living space to accommodate our family, allows for reasonable solar exposure, natural light and a pleasant living environment rather than the underground bunker. The owners did their reasonable due diligence prior to purchasing the property (see attached notes), verifying the ability to build a house that would suit the location and the owner's needs.

(b) That because of such physical circumstances or conditions, there is no possibility that the property can be developed in strict conformity with the provisions of the zoning regulation and that the authorization of a variance is, therefore, necessary to enable the reasonable use of property.

At the time of the application, the regulations in effect made allowances for designing a house on a steep slope, the new regulations do not. The new regulations necessitate that a similar design be substantially underground (see attached sketches Doc # 13). We submit that the requirement that the house be substantially underground is not reasonable.

c) The unnecessary hardship has not been created by the applicant.

The hardship relative to the new height regulations vs the regulations in place when we submitted our application is not a hardship created by the applicant.

(d) That the variance, if authorized, will not alter the essential character of the neighborhood or district in which the property is located, substantially or permanently impair the appropriate use or development of adjacent property, reduce access to renewable energy resources, nor be detrimental to the public welfare.

The variance from the new height calculation requirement would not alter the essential character of the neighborhood or district in which the subject property is located. The proposed design is similar in design approach to the new condo complex at 85North Ave.

(e) That the variance, if authorized, will represent the minimum variance that will afford relief and will represent the least deviation possible from the zoning regulation and from the plan.

The requested height variance allows for a reasonable building envelope, minimizes encroachment into the steep slope on the property, allows for sufficient living space above ground and provides the minimum height necessary for solar panels to be mounted on the roof rather than the pedestal mounted style indicated on attached sketches along with the resolving the other issues mentioned above.

(f) The variance, if granted, will not result in the extension of a non-complying situation or allow the initiation of a nonconforming use of land.

The variance from the new height requirement would not result in the extension of a noncomplying situation or allow a nonconforming use of land. The variance would simply enable the construction of a single-family home.

Summary of events beginning with pre-purchase efforts:
(See enclosed Doc #12 Timeline for details)

I met with Scott Gustin on 21June21 to discuss our plans and get his feedback on the viability of our plan. He stated that he was very familiar with the property due to several other folks that had made efforts to develop the lot. At that time, he indicated that “the design was appropriate to the location”. Unbeknownst to me, there was a public hearing scheduled for the next evening to discuss proposed changes to the height calculations that would affect our lot and other similar sites. Uncertain as to why Scott did not share such relevant information with me at that time.

From 29June21 thru 4Aug21 I had further discussions with Scott Gustin and Mary O’Neil regarding the project and met with Caleb Mana from the DPW to get his insights regarding the requirements, from his perspective, for developing the lot. From these discussions, it seemed reasonable to move forward.

On 4Aug21 we received a setback variance that was needed in order to make it possible to build on the site. Once we had received this variance, we felt confident moving forward with the purchase.
19Aug21 we closed on the property.

26Aug21 Received Z-card for building permit.

[At no time during these discussions did anyone from Planning and Zoning inform me about the pending changes to the height ordinance or even that I should monitor your website for potential changes.](#)

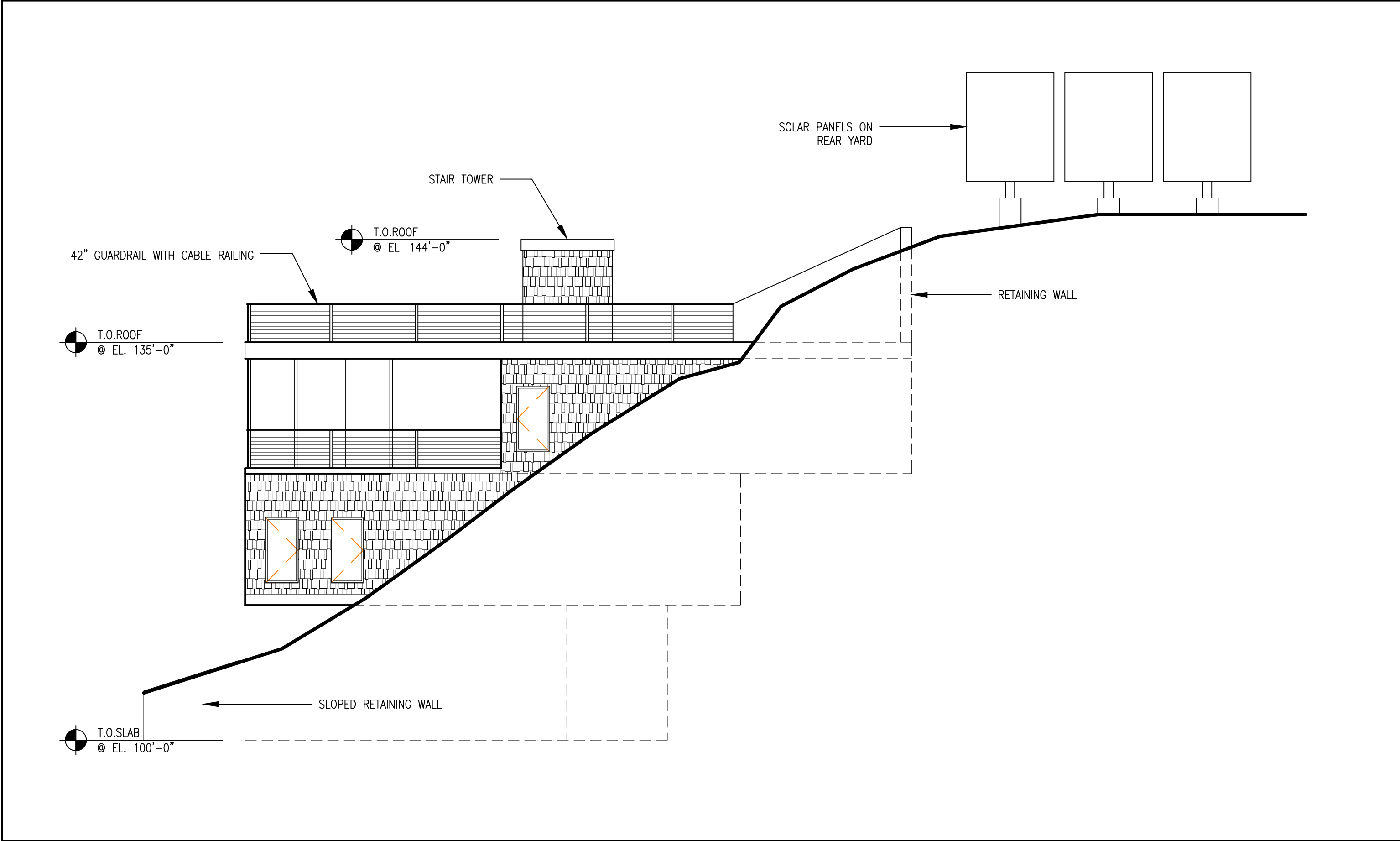
From Aug21 thru May22 Completed Architectural drawings, worked on engineering structure and various permits for utilities. Completed submittals for Building Permit Application 16May22.

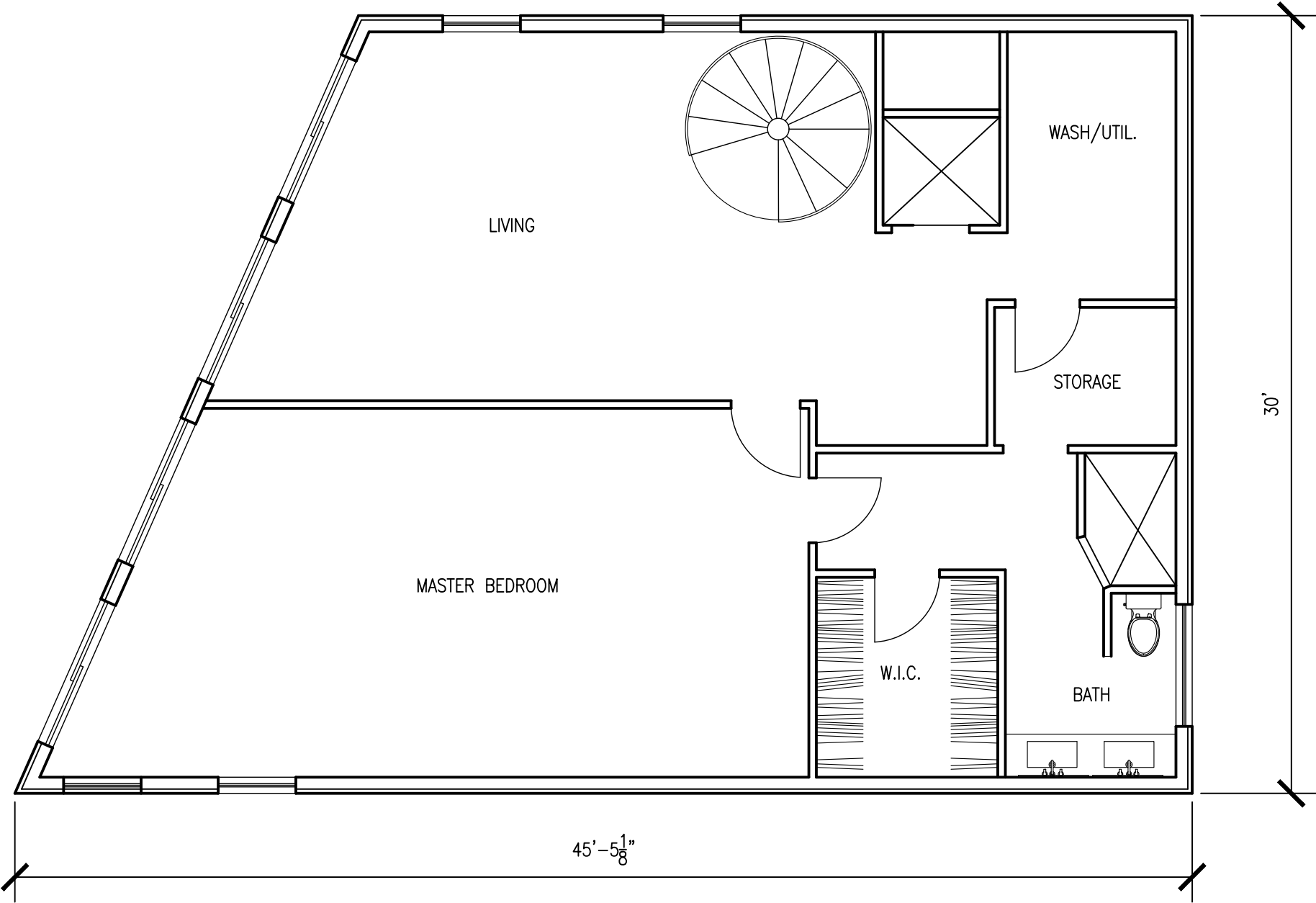
6July22 thru 8Aug22 worked with Ryan Morrison and DAB to refine application for submittal to DRB. 8Aug22 Ryan indicated application was ready for DRB

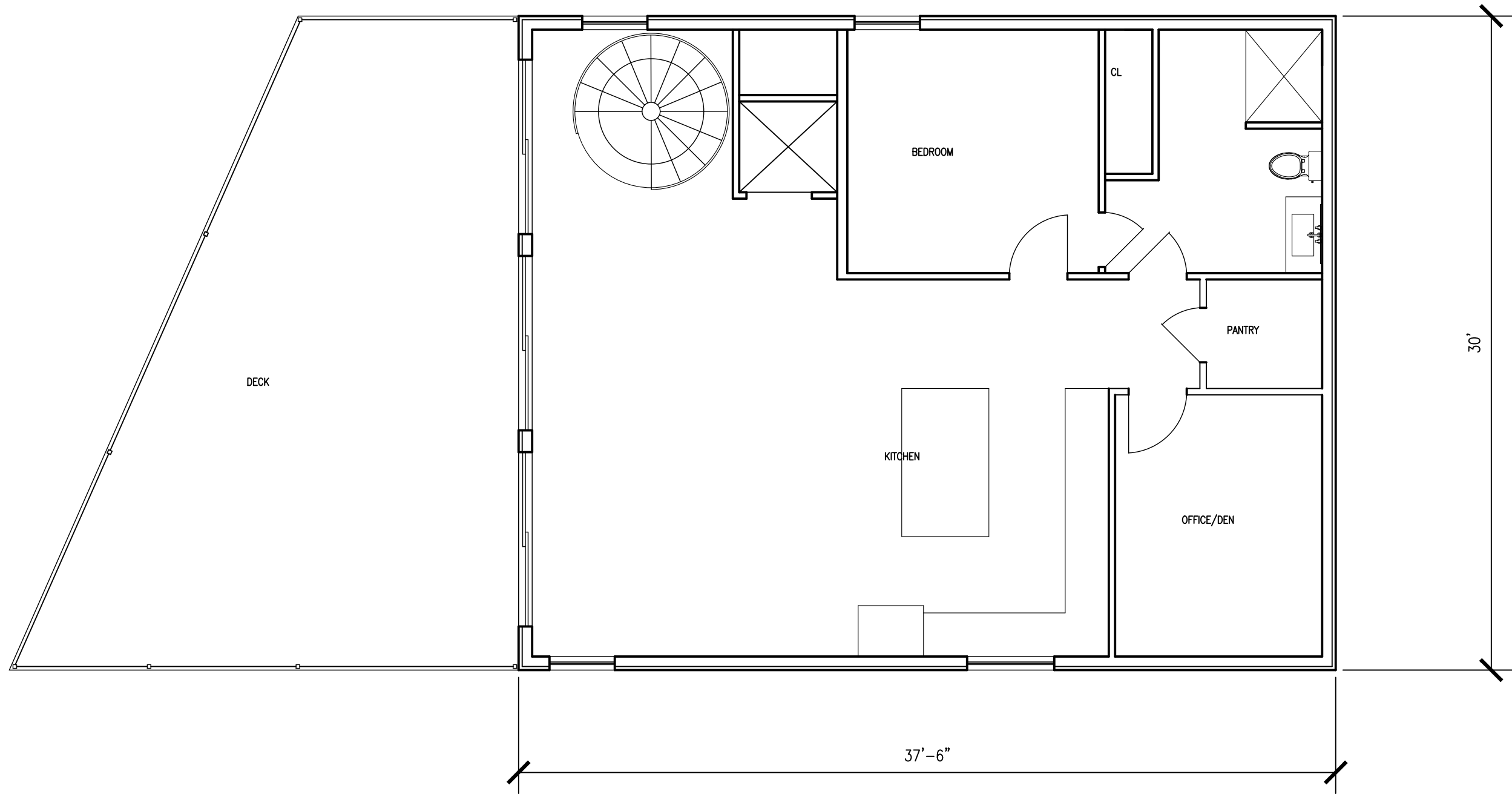
9Aug22 notified by Ryan that height regulations had changed and design would not meet code.

9Aug thru 12Aug Several discussions with Ryan. He indicated that the date of a completed application rather than the initial date of application was used to determine the codes to be applied. He also indicated that I would likely not be successful using a variance to address the height issue. Ryan also mentioned that I could request the application be sent to the DRB since the final decision was their call and they had the discretion to allow the design or not.

6Sept22 Online DRB meeting. Significant portion of the meeting involved discussion of issues that were not relevant to the agenda (storm drainage, traffic/pedestrian concerns). I didn’t do a particularly good job of presenting my “case”. (I am more effective working with folks in person) There seemed to be very little discussion during the deliberative session. Based on the minimal discussion, I was anticipating the application to be tabled with a request for more information and was dismayed to have the application rejected outright.

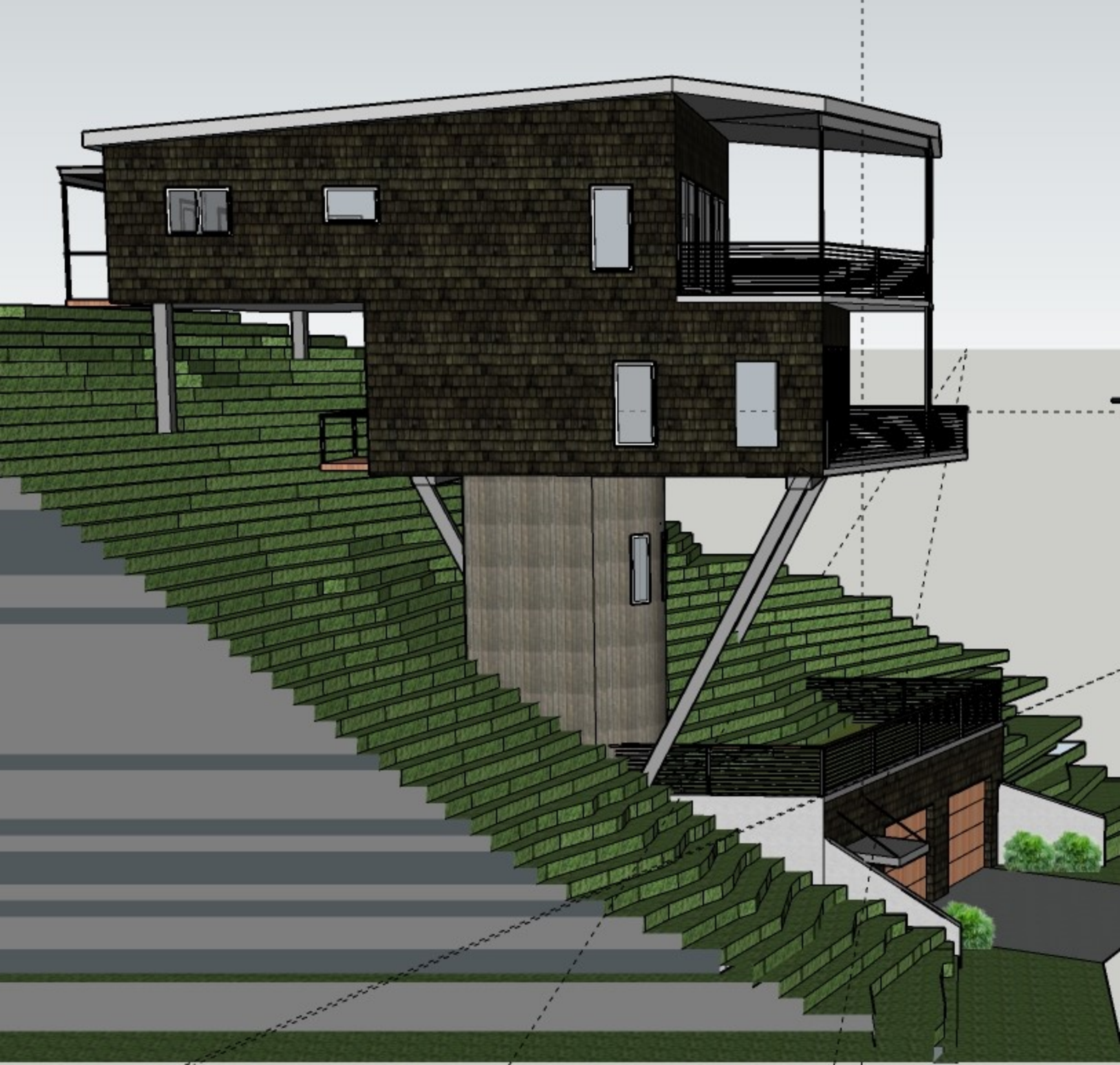




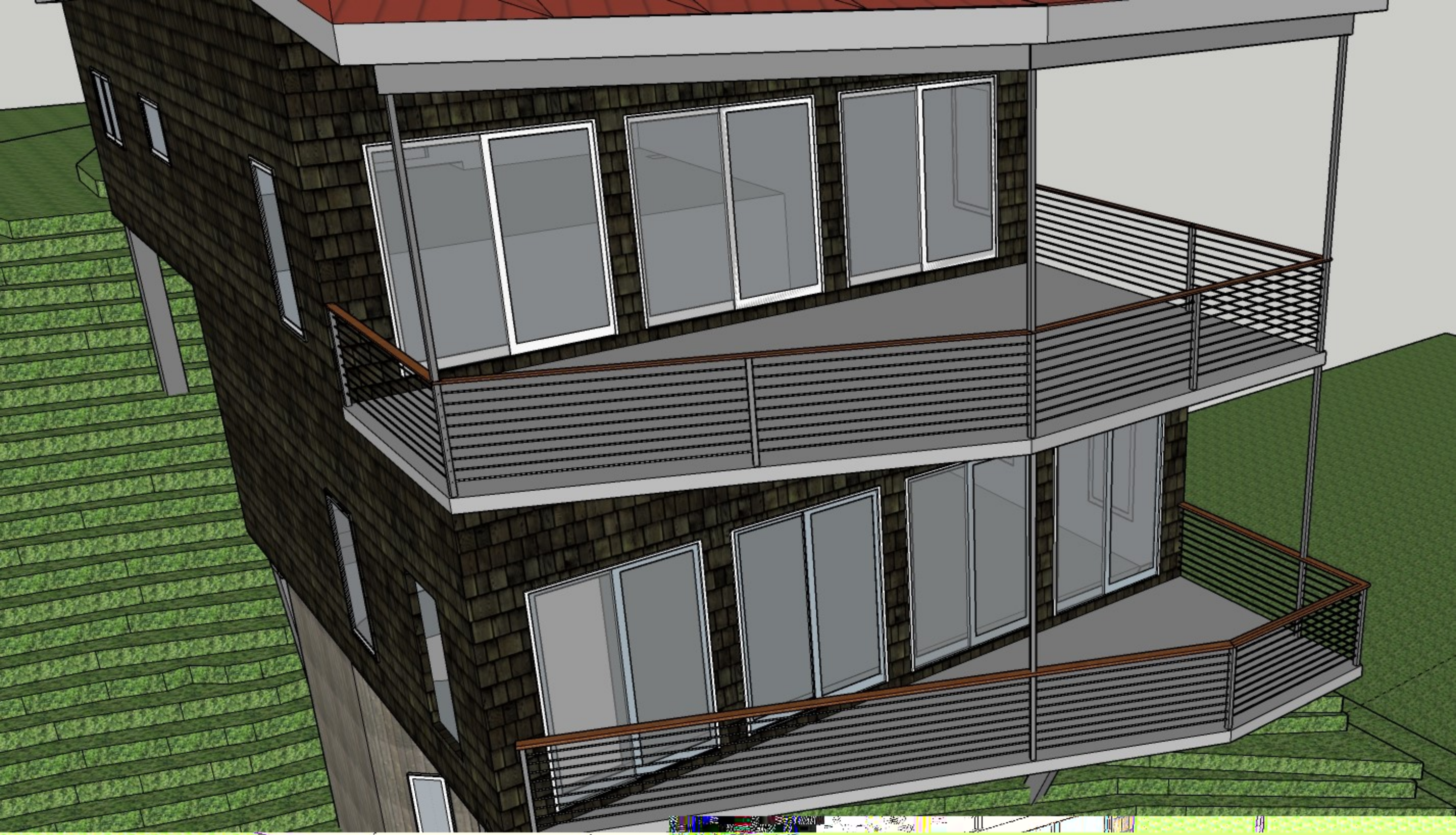










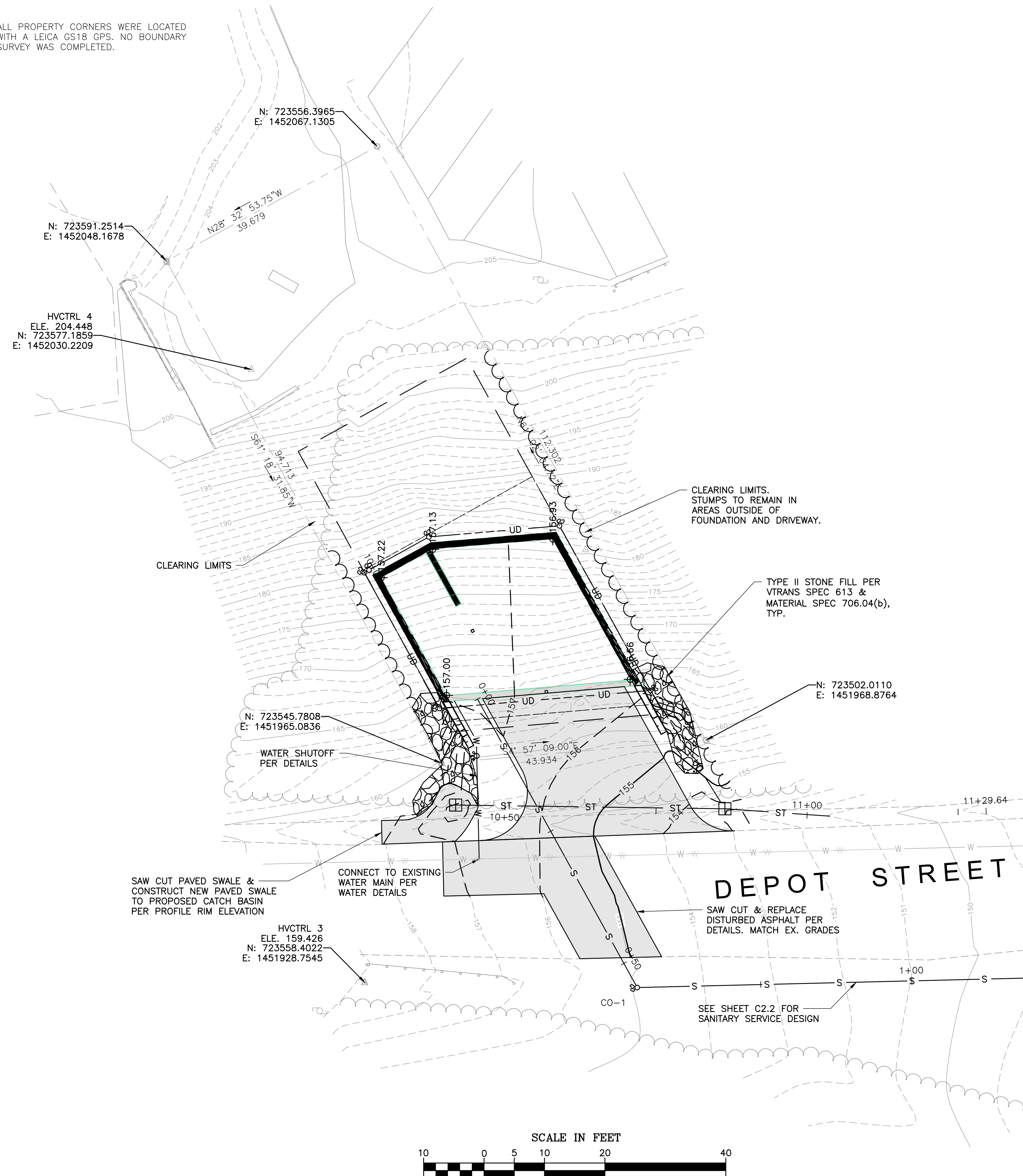




SHEET NUMBER

C1.1

ALL PROPERTY CORNERS WERE LOCATED
WITH A LEICA GS18 GPS. NO BOUNDARY
SURVEY WAS COMPLETED.



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PROFESSIONAL SEAL

**NOT FOR
CONSTRUCTION
PRELIMINARY
PLANS**

[illegible]

PROJECT NAME: **TROMBLEY SITE PLAN**
DEPOT STREET, BURLINGTON, VT
LWI METALWORKS
STEVE TROMBLEY, PRESIDENT: steve@lwimetal.com

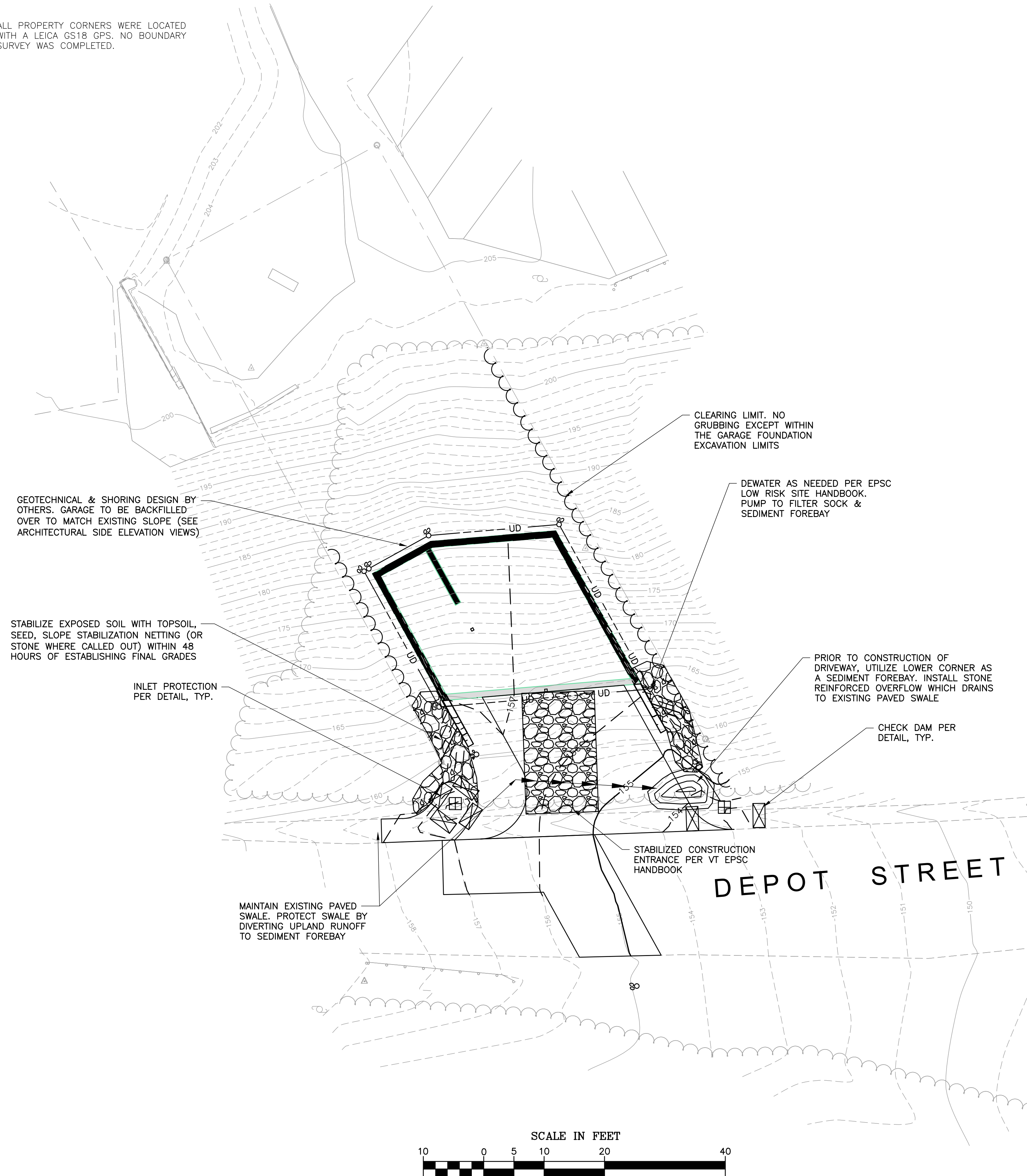
PROPOSED SITE PLAN

DRAWN BY MAM	DATE 04/22/22
CHECKED BY LDC	D&K PROJECT # 827848P
PROJ. ENG. MAM	SCALE AS NOTED

SHEET NUMBER

C2.1

ALL PROPERTY CORNERS WERE LOCATED
WITH A LEICA GS18 GPS. NO BOUNDARY
SURVEY WAS COMPLETED.



PROGRESS PRINTS

NOT FOR CONSTRUCTION

Today



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PRELIMINARY
PLANS**

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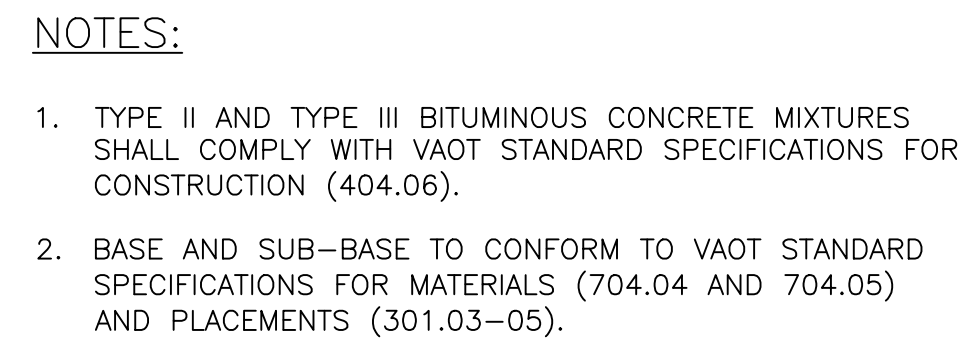
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DEPOT STREET, BURLINGTON, VT
LWI METALWORKS
STEVE TROMBLEY, PRESIDENT: steve@lwimetal.com

SHEET TITLE: **EPSC PLAN**

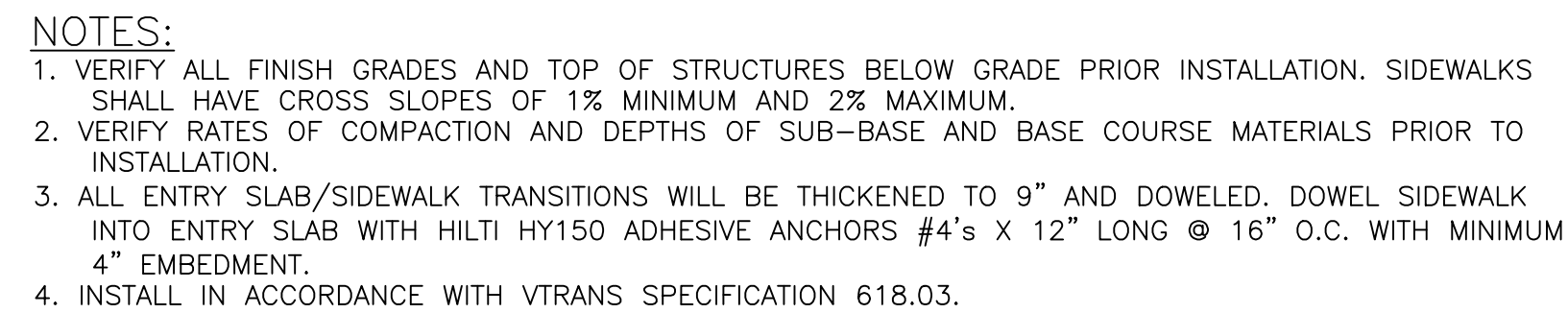
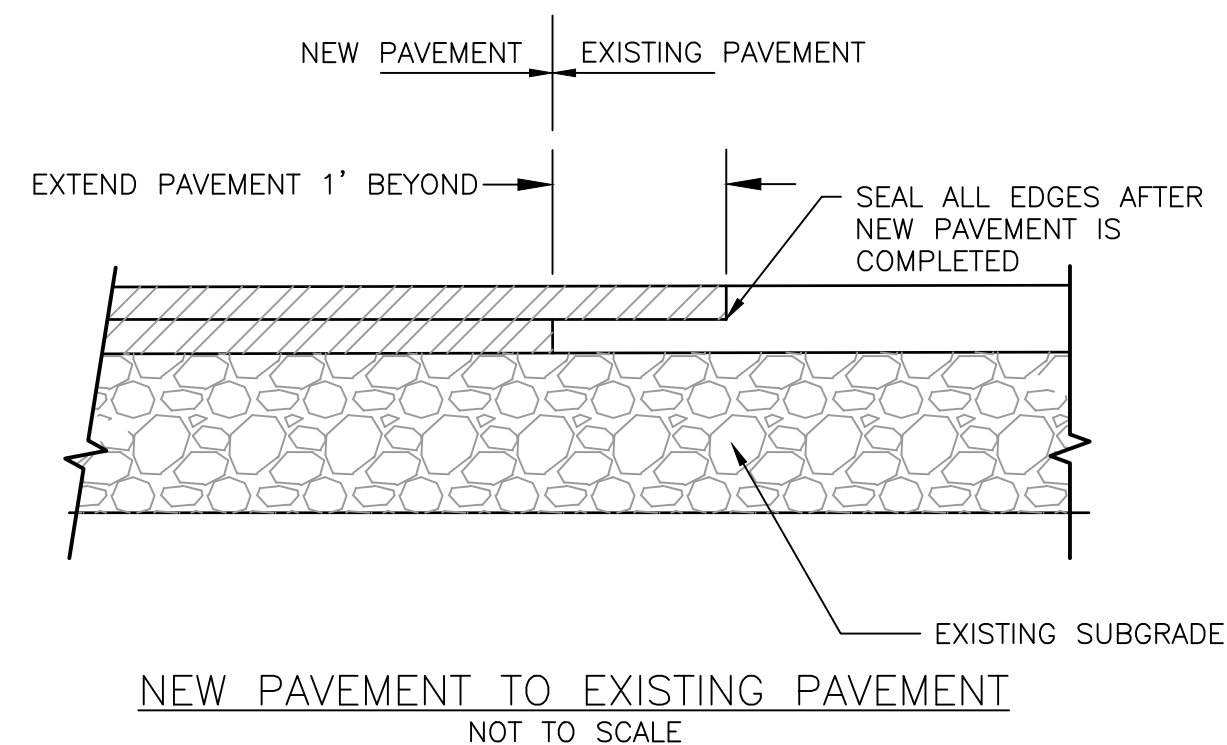
DRAWN BY MAM	DATE 04/22/22
CHECKED BY LDC	D&K PROJECT # 827848P
PROJ. ENG. MAM	SCALE AS NOTED

SHEET NUMBER

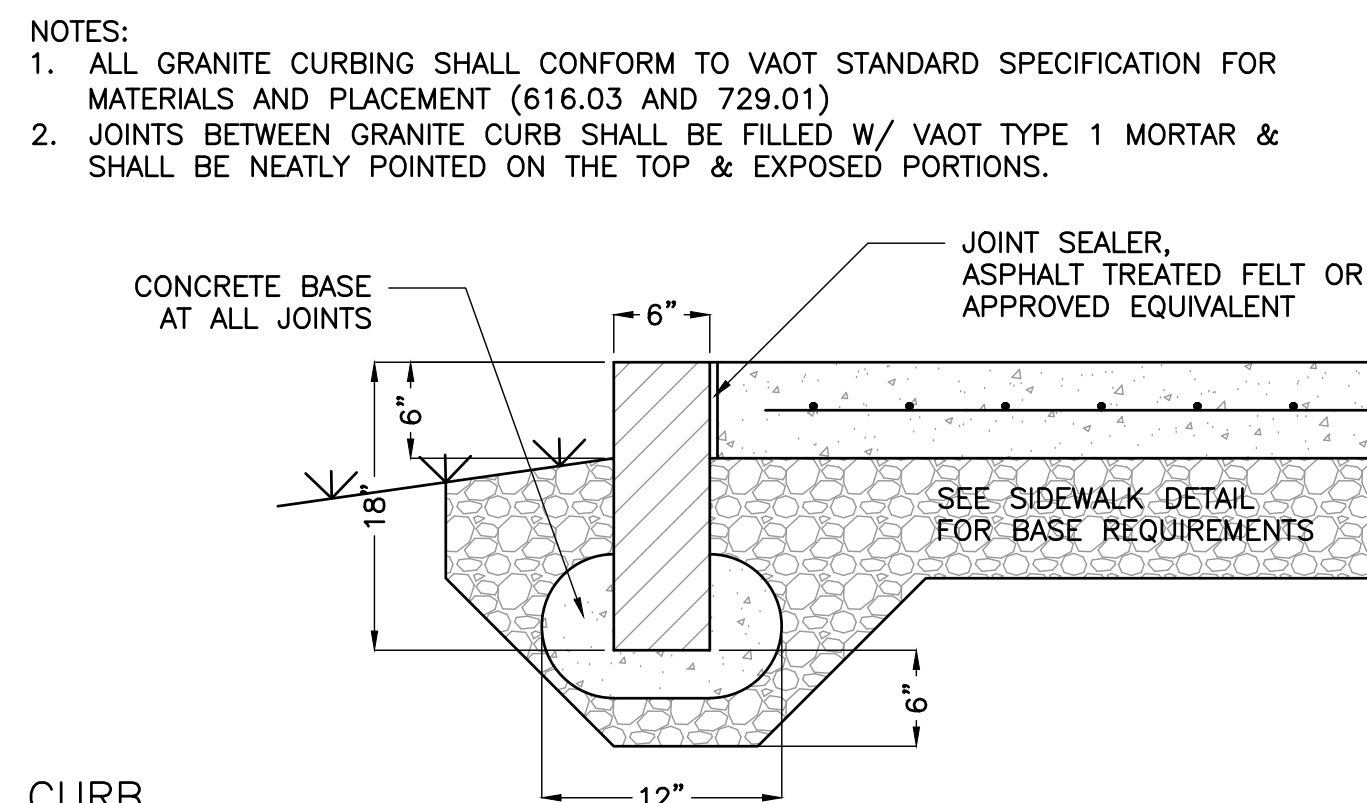
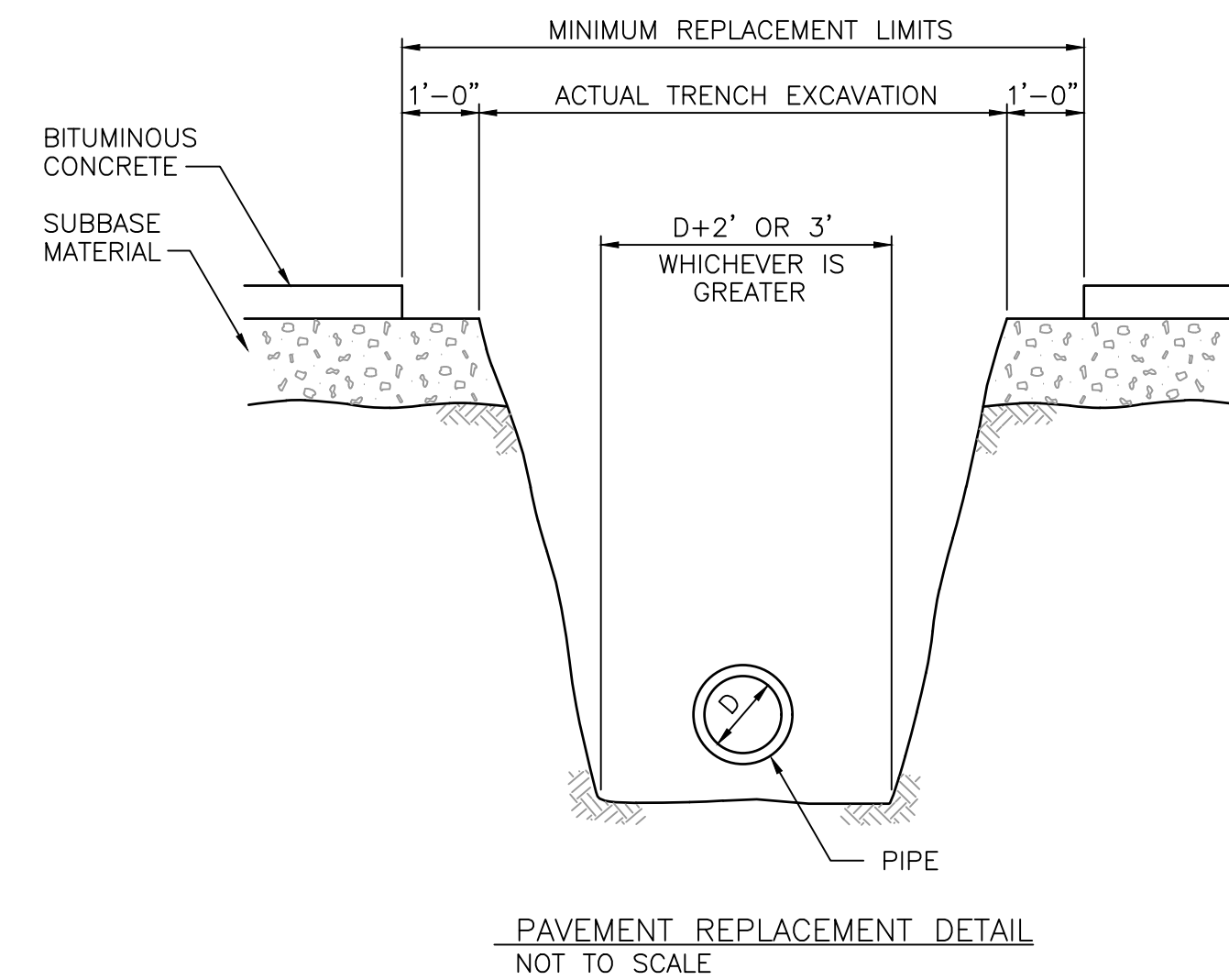
C2.3



BITUMINOUS PAVEMENT DETAIL
NOT TO SCALE



CONCRETE SIDEWALK
NOT TO SCALE

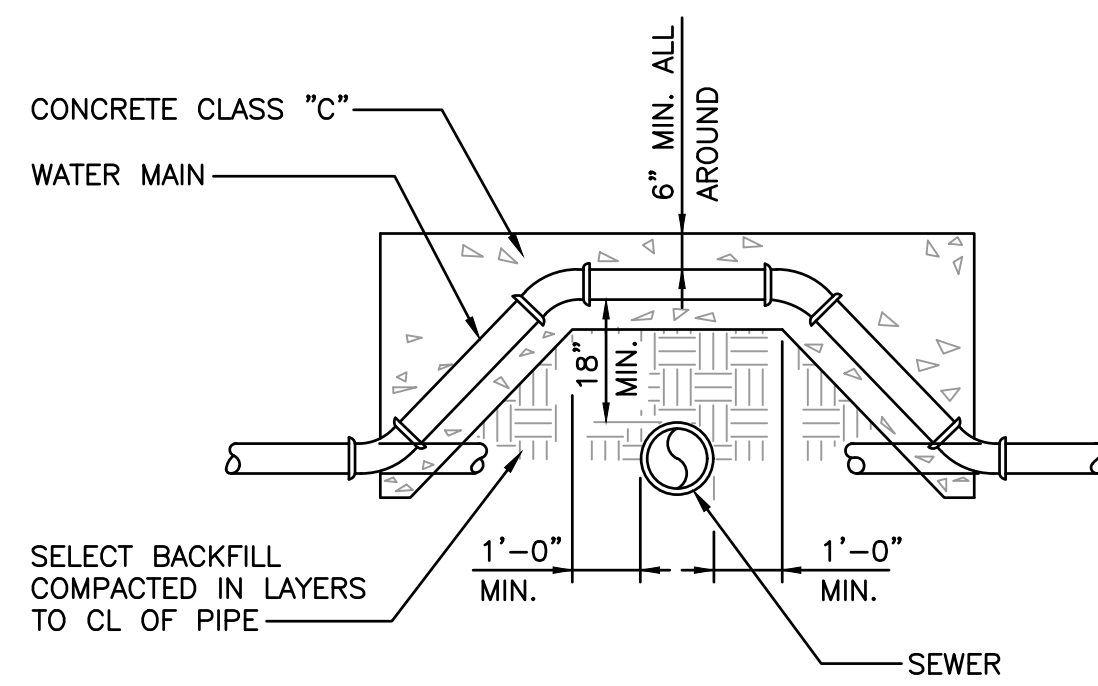


<u>SEEDING FORMULA</u>				
<u>URBAN AREAS</u>				
<u>%WT</u>	<u>LBS./A.</u>	<u>NAME</u>	<u>PUR %</u>	<u>GERM %</u>
42.5	34.0	CREEPING RED FESCUE	98	85
10.0	8.0	PERENNIAL RYE GRASS	95	90
42.5	34.4	KENTUCKY BLUE GRASS	85	85
<u>5.0</u>	<u>4.0</u>	ANNUAL RYE GRASS	95	85
100.0	80.0			

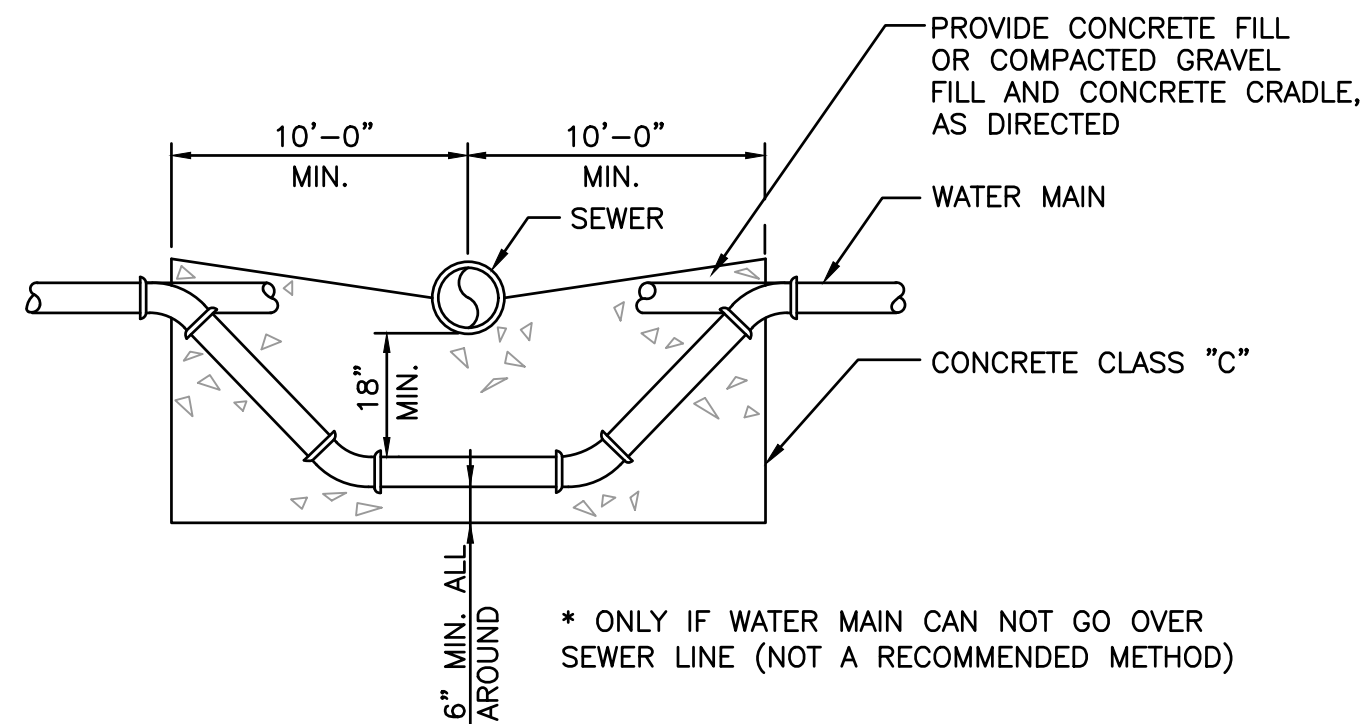
PROGRESS PRINTS
NOT FOR CONSTRUCTION

Today

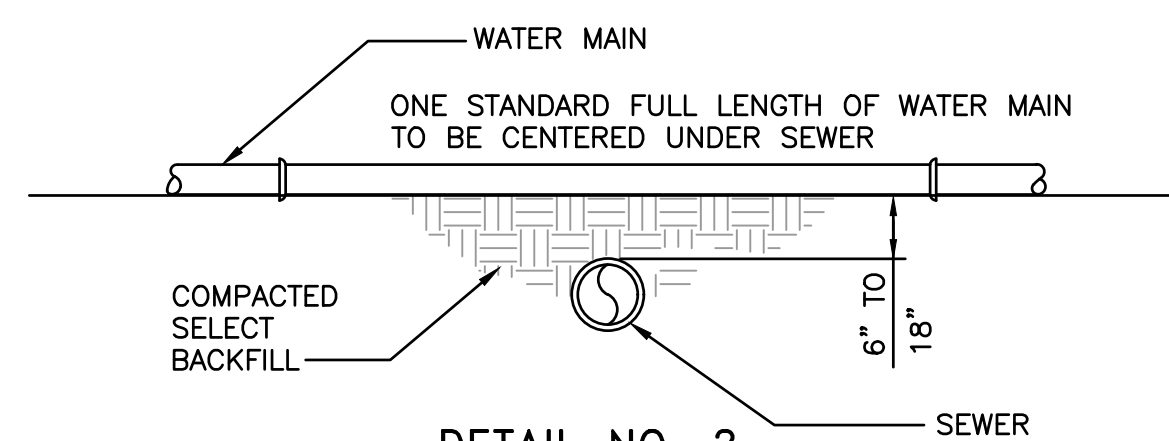
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DETAIL NO. 1
WATER MAIN RELOCATION –
ABOVE SEWER
(PREFERRED METHOD)
NOT TO SCALE

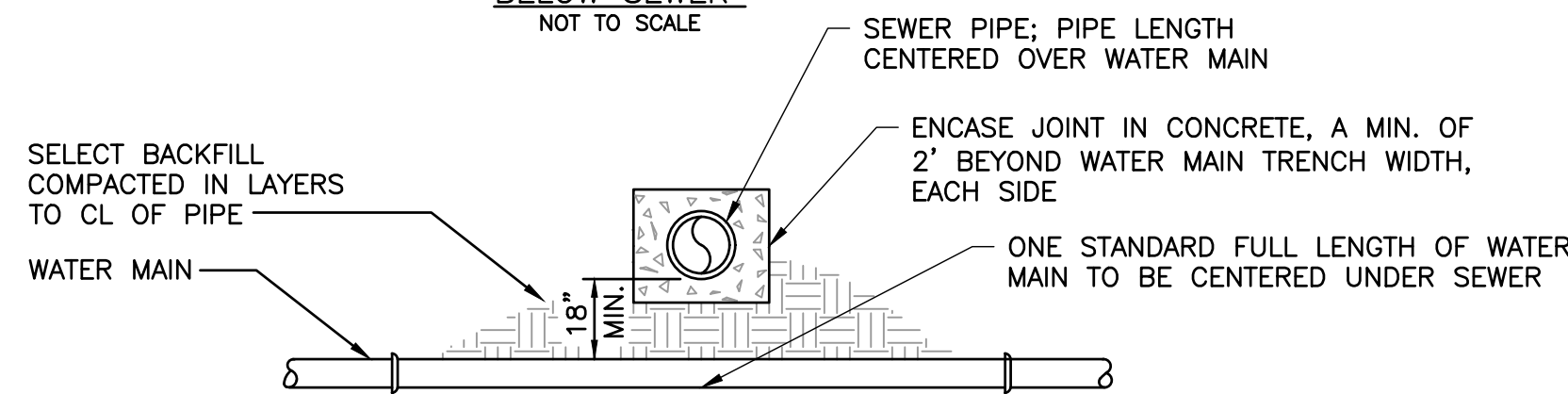


DETAIL NO. 3
WATER MAIN RELOCATION —
BELOW SEWER*
NOT TO SCALE



DETAIL NO. 2

WATER MAIN LESS THAN 18"
ABOVE SEWER
NOT TO SCALE



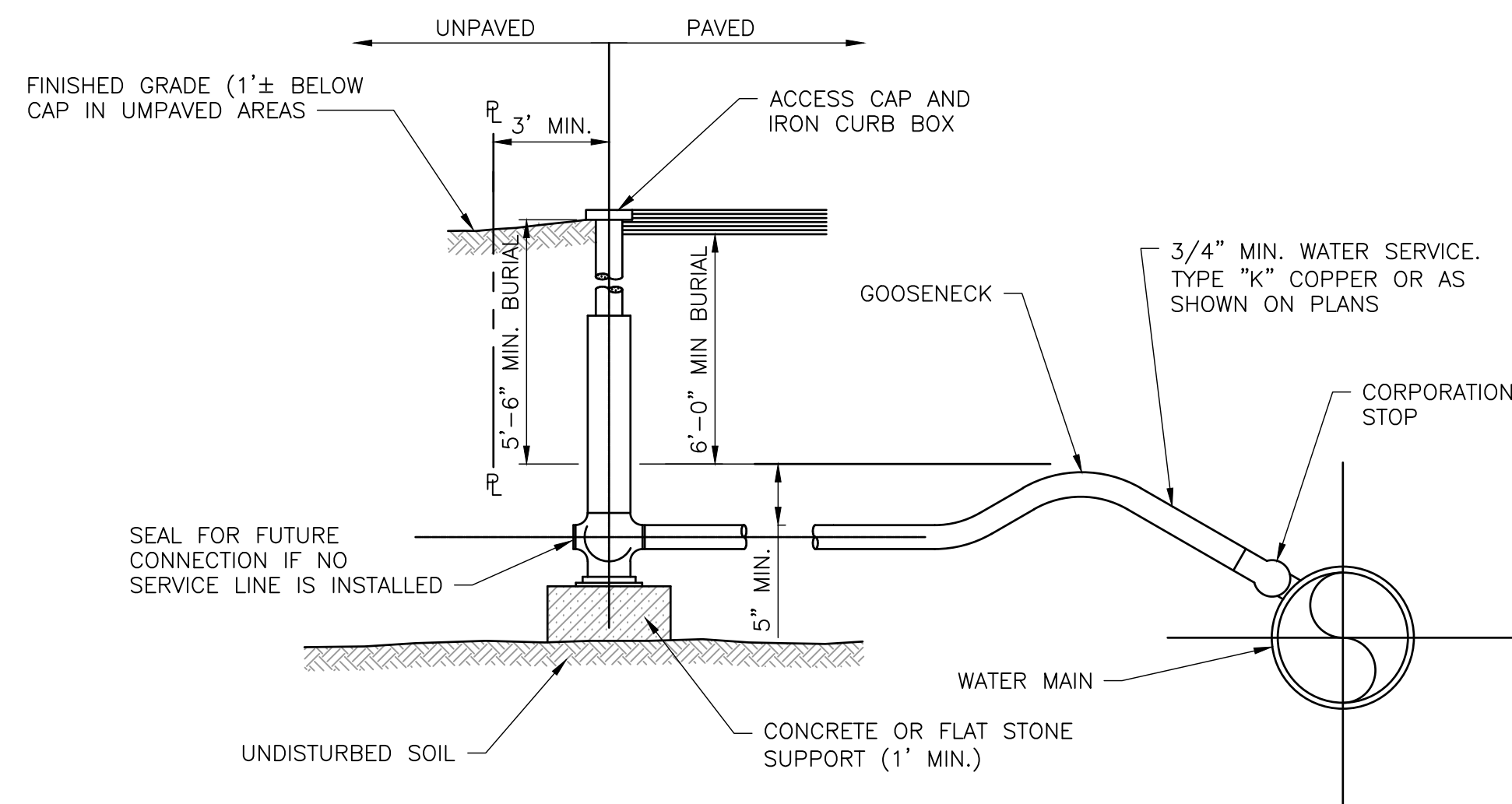
DETAIL NO. 4
WATER MAIN BELOW
SEWER*
NOT TO SCALE
* NOT A RECOMMENDED METHOD

NOTES:

- | | | | |
|----|--|----|--|
| 1. | DETAILS NO.1 & NO.3
ALLOWABLE WATER PIPE DEFLECTIONS MAY BE USED TO ACCOMPLISH THE RELOCATIONS IN LIEU OF ELBOWS AND FITTINGS. | 3. | DETAILS NO.1, NO.2, NO.3 & NO.4
WATER MAIN TO BE RECONSTRUCTED SHALL BE PUSH-ON OR M.J. D.I. PIPE FOR A DISTANCE OF 10 FEET EACH SIDE OF THE CENTERLINE OF THE SEWER. |
| 2. | DETAILS NO.2, NO.3 & NO.4
THE SEWER PIPE SHALL BE CONSTRUCTED OR RECONSTRUCTED OF DUCTILE IRON PIPE WITH PUSH ON OR MECHANICAL JOINTS AND PRESSURE TESTED FOR AT LEAST 20" EACH SIDE OF WATER MAIN. | 4. | DETAILS NO.3& NO.4
UNDER NO CIRCUMSTANCES SHALL THE SEWER BE LESS THAN 18" ABOVE THE WATER MAIN. |
| | | 5. | SEE SPECIFICATION 628.13 FOR DETAILS, DESCRIPTIONS AND INSTRUCTIONS. |

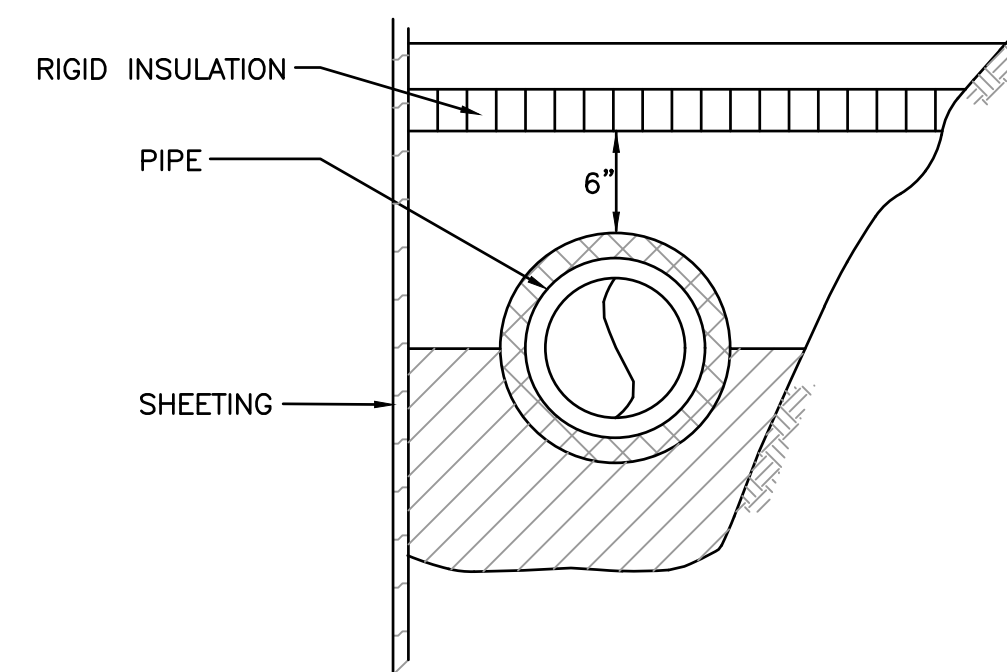
PIPE CROSSING DETAIL

NOT TO SCALE



NOTE:
TAP MAY BE MADE DIRECTLY TO DUCTILE IRON PIPE. FOR
PIPE OTHER THAN DI, USE EITHER A COUPLING
CONTAINING A FACTORY TAPPED BRASS BUSHING OR USE
A DOUBLE STRAP SERVICE CLAMP.

CURB STOP WITH BOX – TAPPED CONNECTION
NOT TO SCALE



SHEETED TRENCH OPEN TRENCH

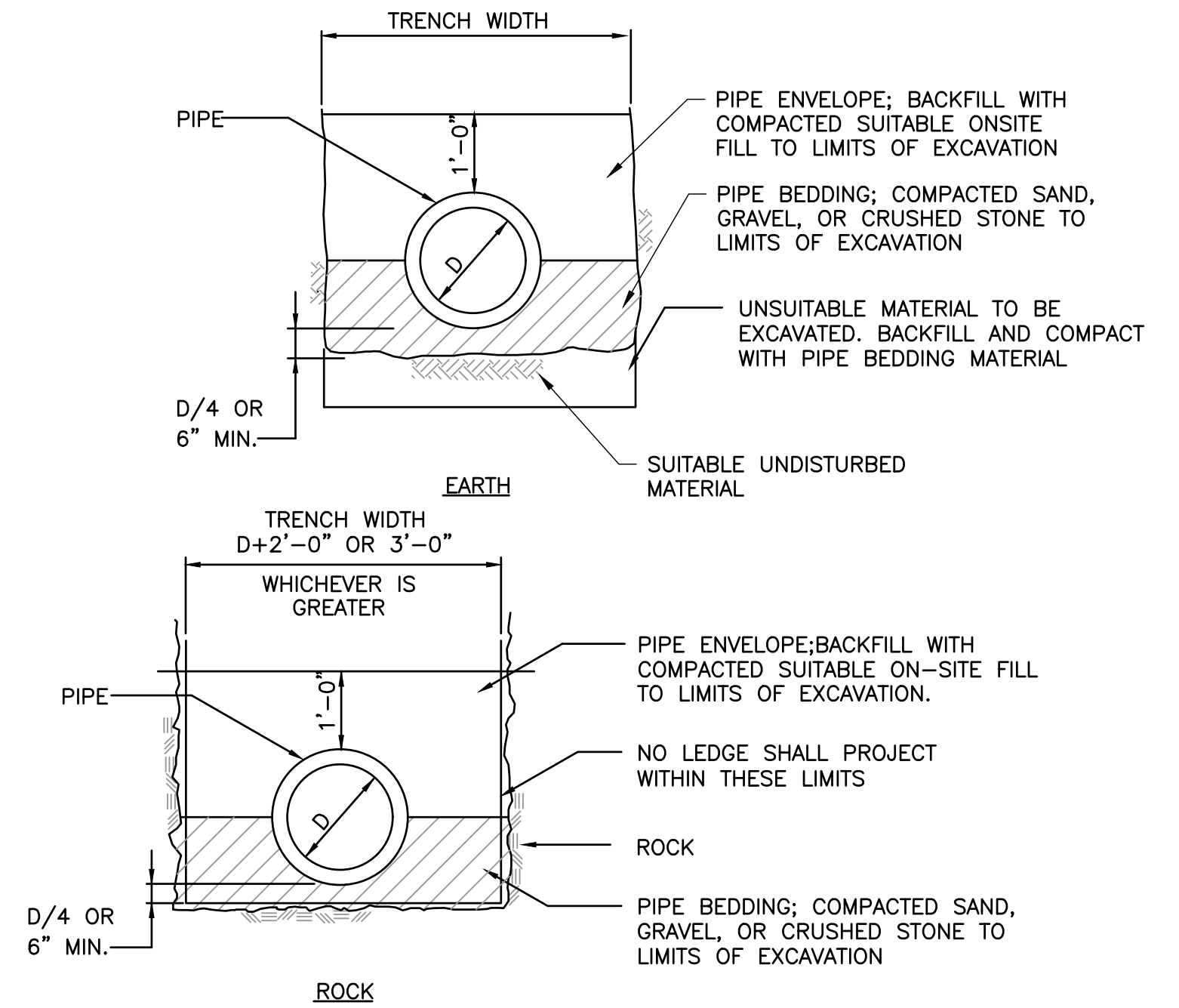
NOTE:

INSULATE WHEN MINIMUM DEPTH OF COVER ABOVE PIPE
BARREL MUST BE LESS THAN 5'-0"
WHEN 4' DEEP - USE 2" THICK
WHEN 3' DEEP - USE 3" THICK

UNINSULATED PIPE BURY DEPTHS:	
STORM DRAIN	5' MIN
WATER	6' MIN
UNDERDRAIN	4' MIN
SANITARY (UNPLOWED)	4' MIN
SANITARY (PLOWED)	5' MIN

TRENCH INSULATION DETAILS

NOT TO SCALE



TRENCH SECTIONS

NOT TO SCALE

TESTING AND DISINFECTING OF WATER MAINS

All water mains shall be constructed, tested and disinfected in accordance with AWWA Standards C-600, C601, C-900 and The Vermont Water Supply Rule. Minimum testing pressure shall be 1.5 times the working pressure of the installed line or 200 psi, whichever is greater, and will be monitored at the lowest elevation in the length of the pipeline being tested.

Maximum allowable leakage will be $L = \frac{SD \text{ (sq. Root P)}}{133,200}$ as outlined in AWWA Standards

Where:

L =allowable leakage, in gallons per hour
S =length of pipe tested, in feet
D =nominal diameter of the pipe, in inches
P =average test pressure during the leakage test, in psi (gauge)

a) Testing:

1. All tests shall be conducted by and at the expense of the Contractor.
2. The Engineer will give direction pertaining to the test methods and observe the field-testing.
3. Shall not be less than 50 psi at the highest point along the test section.
4. Shall not exceed pipe or thrust restraint design pressures.
5. Be of at least two no. 20 threaded rods.
6. Shall not exceed two times the rated pressure of the valves when the pressure boundary of the test section includes closed gate valves.

b) Flushing:

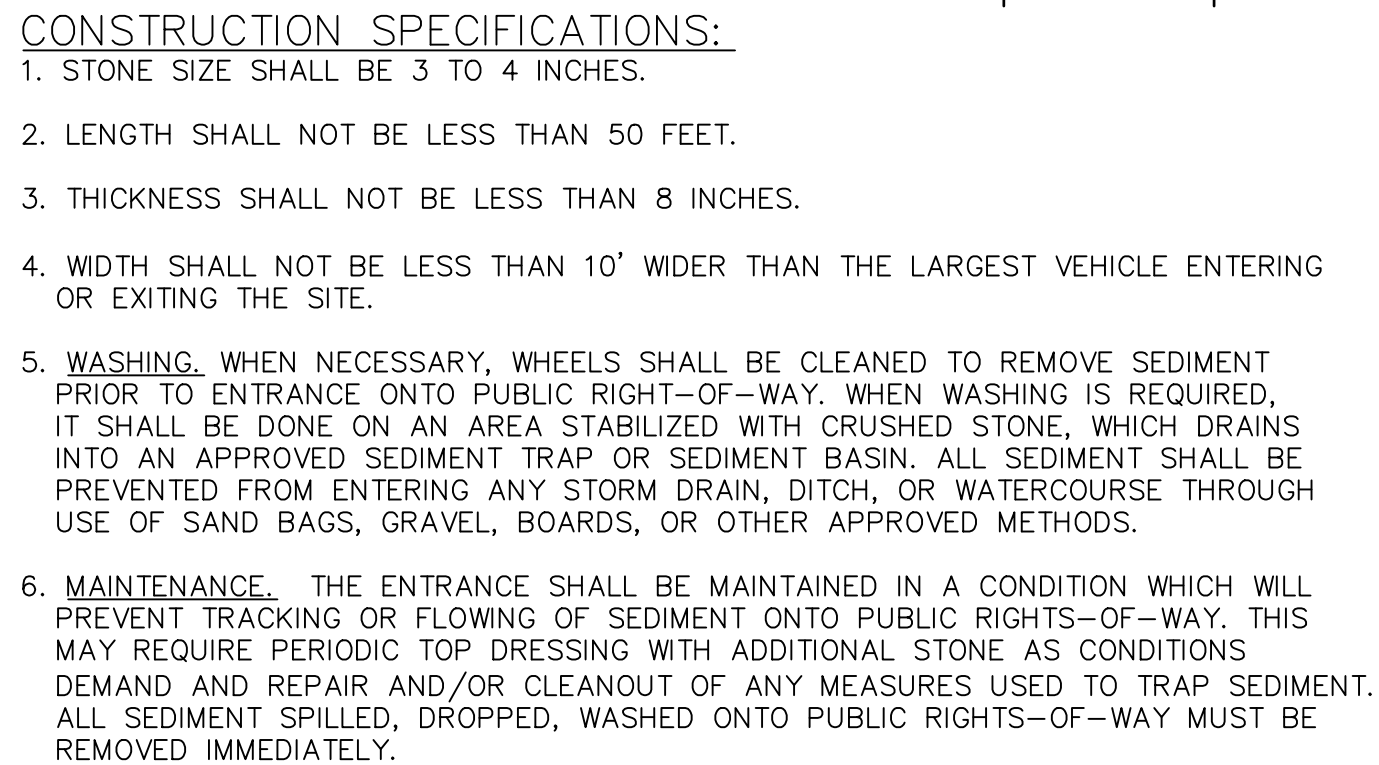
1. Complete flushing of the pipeline to wash out all dirt, debris, etc. which may have accumulated in the pipeline during construction. A reducing agent shall be used at the point of flushing to eliminate the free chlorine residual per the direction of the Engineer.

c) Disinfecting:

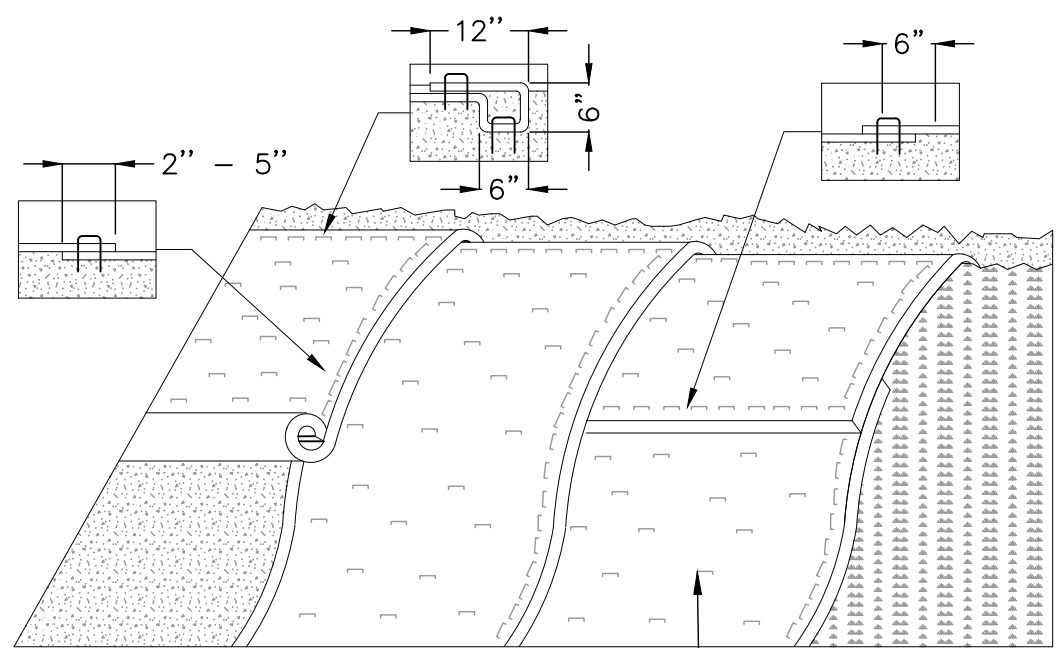
1. Following flushing with clean clear water, the Contractor will add chlorine to the entire pipeline volume of water such that the water will have not less than 25 mg/L free chlorine, and let the mixture set for at least 24 hours.
2. After the 24-hour duration, the water in the pipeline shall be tested for residual free chlorine and must contain a minimum of 10 mg/L chlorine. If less than 10 mg/L are found, then the disinfecting procedure shall be repeated until at least 10 mg/L chlorine residual is indicated by test.
3. Upon successful completion of step 2 above, the pipeline shall be flushed again until the chlorine concentration in the pipeline is no higher than that prevailing in the supply system. A reducing agent shall be used to eliminate the free chlorine residual in the flushing process.

After final flushing and before the new water main is connected to the distribution system, a sample shall be collected from different points in the new main, and submitted to the Vermont Health Department for analysis. All samples shall show the absence of coliform organisms and, if required the presence of a chlorine residual. (AWWA C651-91) If the initial disinfecting fails to produce some residual chlorine, the V.S.H.D. requires that potable drinking water, then the new main shall be re-flushed and shall be re-sampled until satisfactory test results are obtained.

Upon satisfactory results by the Vermont State Health Department, the pipeline may be placed in service. All costs for water, materials, equipment and labor to perform the required testing disinfecting, and flushing of the pipeline shall be paid by the Contractor.



NOT TO SCALE

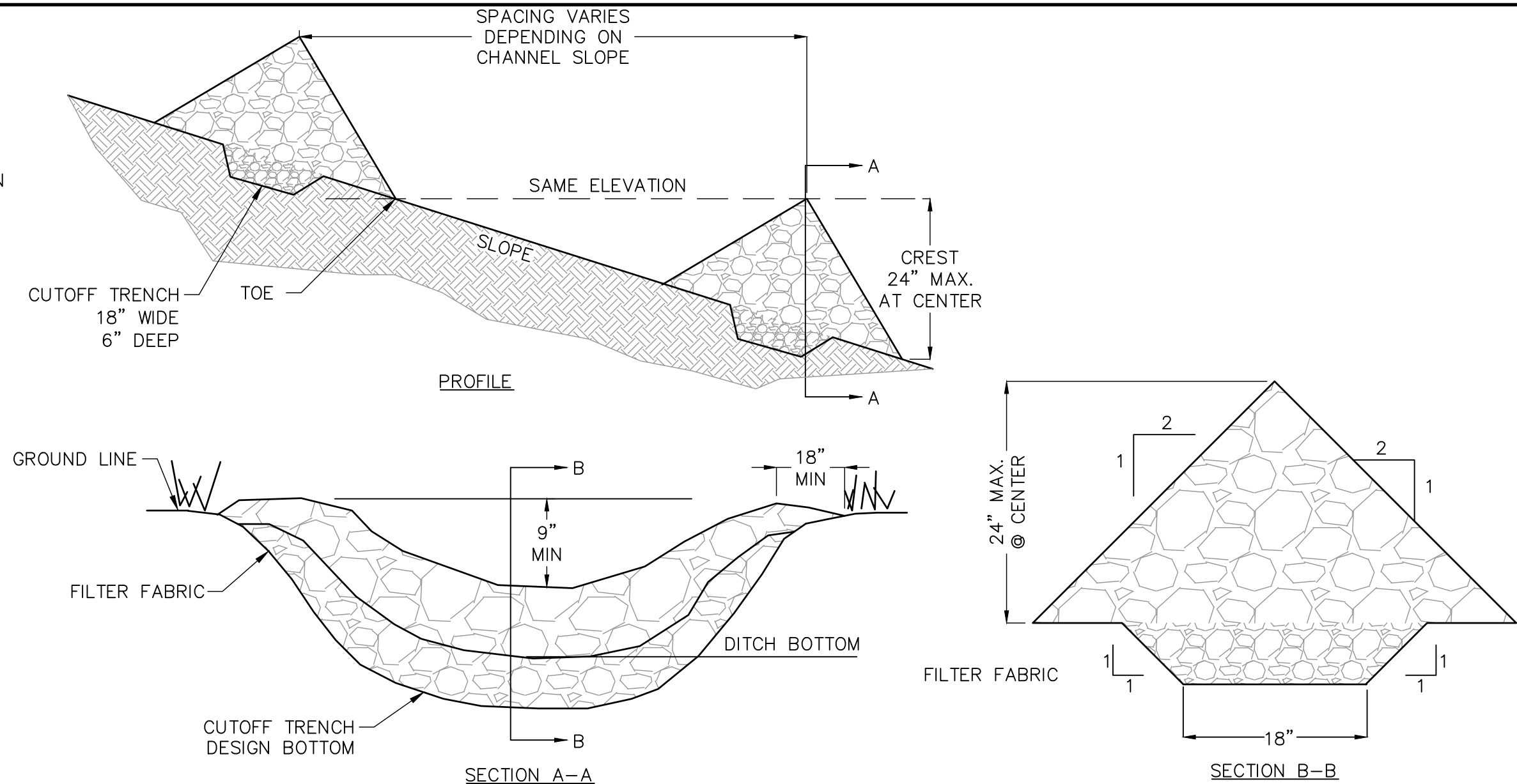


1. THE PURPOSE OF MATTING ON SIDE SLOPES IS TO REDUCE EROSION AND AID THE ESTABLISHMENT OF VEGETATION.
2. EROSION CONTROL MATTING SHALL BE USED FOR THE FOLLOWING REASONS:
 - A. SIDE SLOPES > 3:1 (H:V)
 - B. AREAS WHERE SEED AND MULCH WILL NOT STAY IN PLACE ALONE
 - C. WHERE SEEDING IS OUTSIDE THE GROWING SEASON.
6. OVERLAP ADJACENT MATTING AS SHOWN.
7. CUT EXCESS MATTING AT END OF SLOPE AND ANCHOR THE END.
8. MEASURES SHALL BE INSPECTED EVERY SEVEN (7) CALENDAR DAYS MINIMUM AND WITHIN 24 HOURS OF A STORM EVENT GREAT ENOUGH TO CAUSE WATER TO LEAVE THE CONSTRUCTION SITE.
9. MATTING SHALL BE REPAIRED AND RESTAPLED AS NECESSARY TO ENSURE PROPER

1. GRADE AND SMOOTH THE SLOPE TO PROVIDE GOOD MATTING TO SOIL SURFACE CONTACT.	COSTS ASSOCIATED WITH THE INSTALLATION, INSPECTION AND MAINTENANCE OF ALL EROSION PREVENTION AND SEDIMENT CONTROL MEASURES.
2. APPLY FERTILIZER, LIME, AND SEED PRIOR TO PLACING MATTING.	
3. ANCHOR MATTING AS SHOWN, UTILIZING ANCHOR STAPLES. STAPLE PLACEMENT SHALL BE DETERMINED BY THE MANUFACTURER'S INSTALLATION INSTRUCTIONS.	11. DOUBLE-NET EROSION CONTROL BLANKETS SHALL BE COMPOSED OF PROCESSED BIODEGRADABLE NATURAL FIBERS MECHANICALLY BOUND TOGETHER BETWEEN TWO NATURAL FIBER NETTINGS OF PROCESSED NATURAL YARNS OR TWINES WOVEN INTO A CONTINUOUS MATRIX. THE BLANKETS SHALL HAVE A MIN. TENSILE STRENGTH OF 75 lbs/ft, A "C FACTOR" OF < OR EQUAL TO 0.20 AND SHALL HAVE A LONGEVITY OF 12 MONTHS.
4. UNROLL MATTING VERTICALLY DOWN SLOPE IN THE DIRECTION OF WATER FLOW.	
5. OVERLAP UPPER MATTING OVER LOWER MATTING AS SHOWN.	

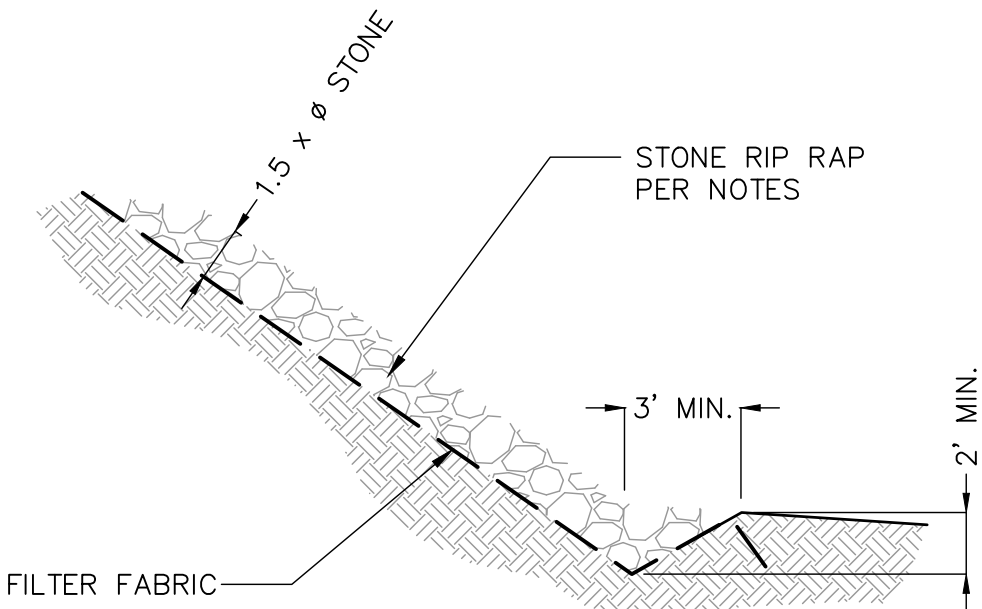
NOT TO SCALE

1. IF DEWATERING IS REQUIRED A SITE SPECIFIC DEWATERING PLAN SHALL BE PROVIDED TO THE ON-SITE PLAN COORDINATOR AND EPSC PLAN SPECIALIST FOR APPROVAL.
2. EFFLUENT FROM DEWATERING OPERATIONS SHALL BE FILTERED OR PASS THROUGH AN APPROVED SEDIMENT TRAPPING DEVICE, OR BOTH, AND DISCHARGED IN A MANNER THAT DOES NOT VIOLATE WATER QUALITY STANDARDS OR CONTRIBUTE TO EROSION.



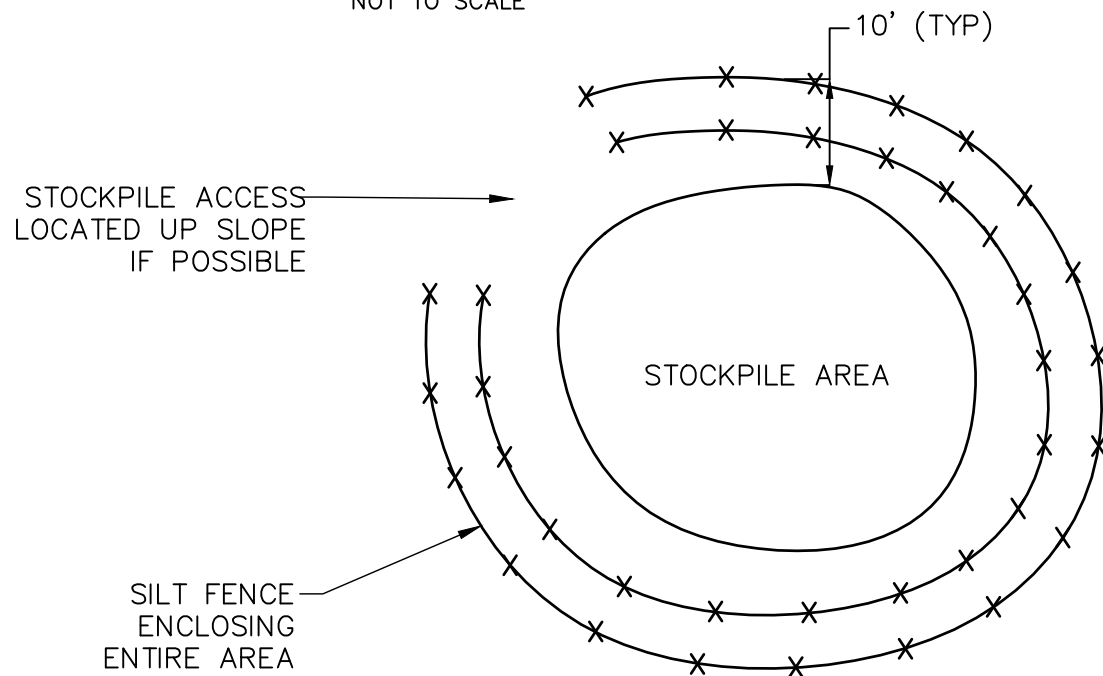
1. STONE WILL BE PLACED ON A FILTER FABRIC FOUNDATION TO THE LINES, GRADES, AND LOCATIONS SHOWN ON THE PLAN.
2. SET SPACING OF CHECK DAMS SO THAT THE CREST OF THE DOWNSTREAM DAM IS AT THE SAME ELEVATION OF THE TOE OF THE UPSTREAM DAM.
3. EXTEND THE STONE A MINIMUM OF 1.5 FEET BEYOND THE DITCH BANKS TO PREVENT CUTTING AROUND THE DAM.
4. PROTECT THE CHANNEL DOWNSTREAM OF THE LOWEST CHECK DAM FROM SCOUR AND EROSION WITH STONE OR LINER AS APPROPRIATE.
5. ENSURE THAT CHANNEL APPURTENANCE SUCH AS CULVERT ENTRANCES BELOW CHECK DAMS ARE NOT SUBJECT TO DAMAGE OR BLOCKAGE FROM DISPLACED STONE.

NOT TO SCALE



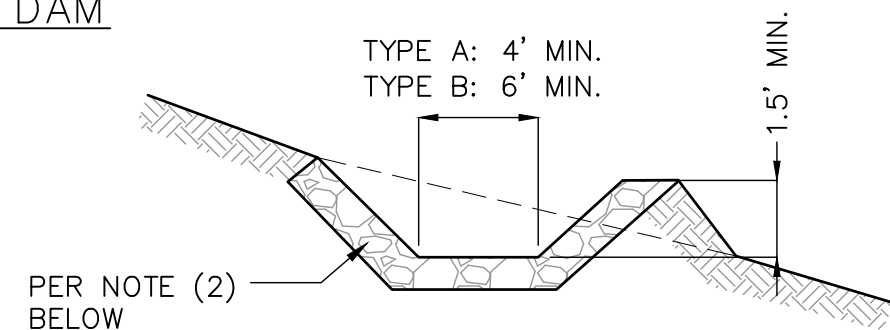
1. PLACEMENT SHALL FOLLOW VTRANS STANDARD SPECIFICATION 613.04(b)
2. RIP RAP MATERIAL SHALL MEET VTRANS STANDARD SPECIFICATION, STONE FOR RIP RAP, LIGHT TYPE 706.03(b).
3. OVERLAP THE FILTER BLANKET EDGES BY AT LEAST 2', AND SPACE ANCHOR PINS EVERY 3' ALONG THE OVERLAP. BURY UPPER AND LOWER ENDS A MIN. OF 12" BELOW GROUND.

NOT TO SCALE



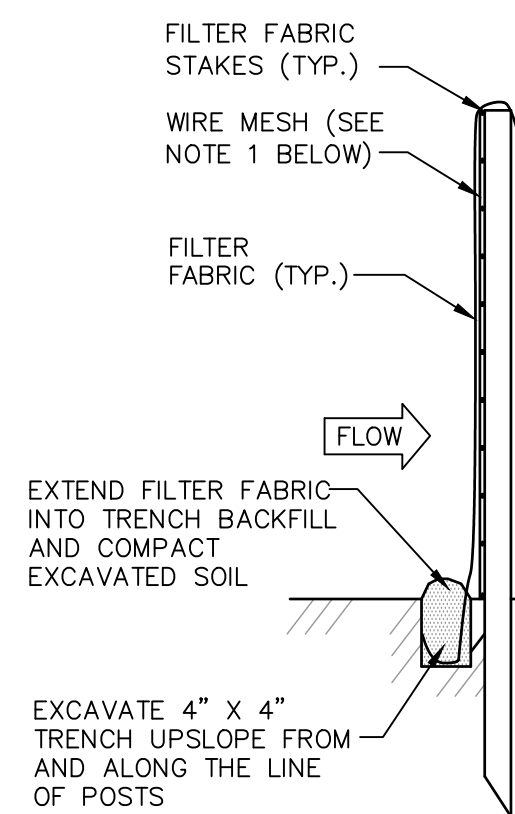
1. ALL AREAS NOT TO BE WORKED FOR 7 DAYS OR MORE SHALL BE TEMPORARILY STABILIZED WITH MULCH, MATTING, OR OTHER MEASURES SUITABLE TO THE LOCATION.
2. STOCKPILES MUST BE STABILIZED IN ACCORDANCE TO THE STABILIZATION SCHEDULE OF THE PERMIT.
3. IF STOCKPILE AREA IS WITHIN 100 FT. OF RECEIVING WATER, WIRE MESH IS REQUIRED.

NOT TO SCALE



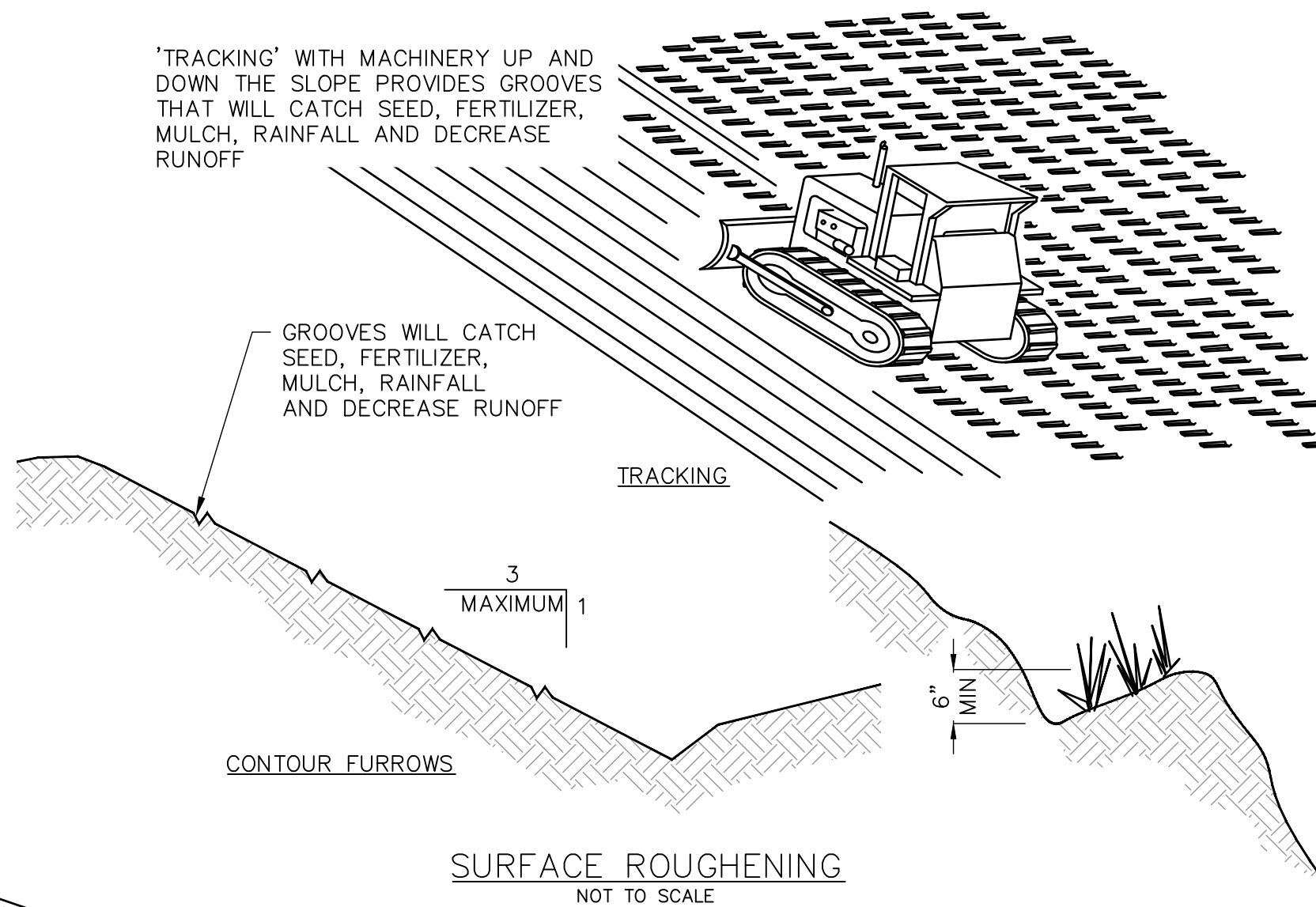
1. SIDE SLOPES SHALL BE 2:1 OR FLATTER
2. EITHER LINE SWALE WITH VTRANS 706.04(a) STONE FILL, TYPE 1, SOD, OR ESTABLISH VEGETATION PRIOR TO ALLOWING STORMWATER TO ENTER SWALE.
3. PLACEMENT SHALL FOLLOW VTRANS STANDARD SPECIFICATION 613.04(a) STONE MATERIAL SHALL MEET VTRANS STANDARD SPECIFICATION, STONE FOR STONE FILL, TYPE 1, 706.04(a).
4. IF SOD IS USED, SEEDING SHALL BE PROTECTED BY JUTE OR MATTING
5. MIN SLOPE = 1%. MAX SLOPE FOR SEED & MULCH = 3%
 SLOPE FOR SOD = 0%. MAX SLOPE FOR STONE = 2%
 SWALES MUST BE INSPECTED FREQUENTLY & HAVE SEDIMENT REMOVED AS NEEDED.

NOT TO SCALE



1. SILT FENCE WITHIN 100 FT. OF RECEIVING WATER TO BE REINFORCED WITH WIRE MESH

EROSION CONTROL SCHEDULE	
FOR SITE CONDITIONS	USE TYPE
AREAS FLATTER UP TO 1:3 (33.33%) AND WITHIN WETLAND/WETLAND BUFFER AREAS	STRAW MULCH & SURFACE ROUGHENING
AREAS 1:3 (33.3%) OR STEEPER	MATting/BLANKETS
ALL DISTURBED AREAS	SEED AND MULCH OR SOD
AREAS STEEPER THAN 1:2 (50%)	RIP RAP SLOPE PROTECTION
ACROSS SLOPES AROUND STOCK PILE AND BORROW AREAS TOES OF SLOPE ALONG STREAMS AND WATER BODIES	SILT FENCE
AROUND CATCH BASINS	INLET FILTERS
IN DRAINAGE DITCHES 9% SLOPE OR LESS – PLACE 100 FT. APART 10% TO 19% – PLACE 50 FT. APART 20% OR GREATER – PLACE 25 FT. APART AS SHOWN ON DRAWINGS	CHECK DAMS
IN DITCHES PRIOR TO DISCHARGE TO BODIES OF WATER AS SHOWN ON DRAWINGS	SEDIMENT BASINS
STABILIZED CONST. ENTRANCE AS SHOWN ON DRAWINGS	STABILIZED CONST. ENTRANCE



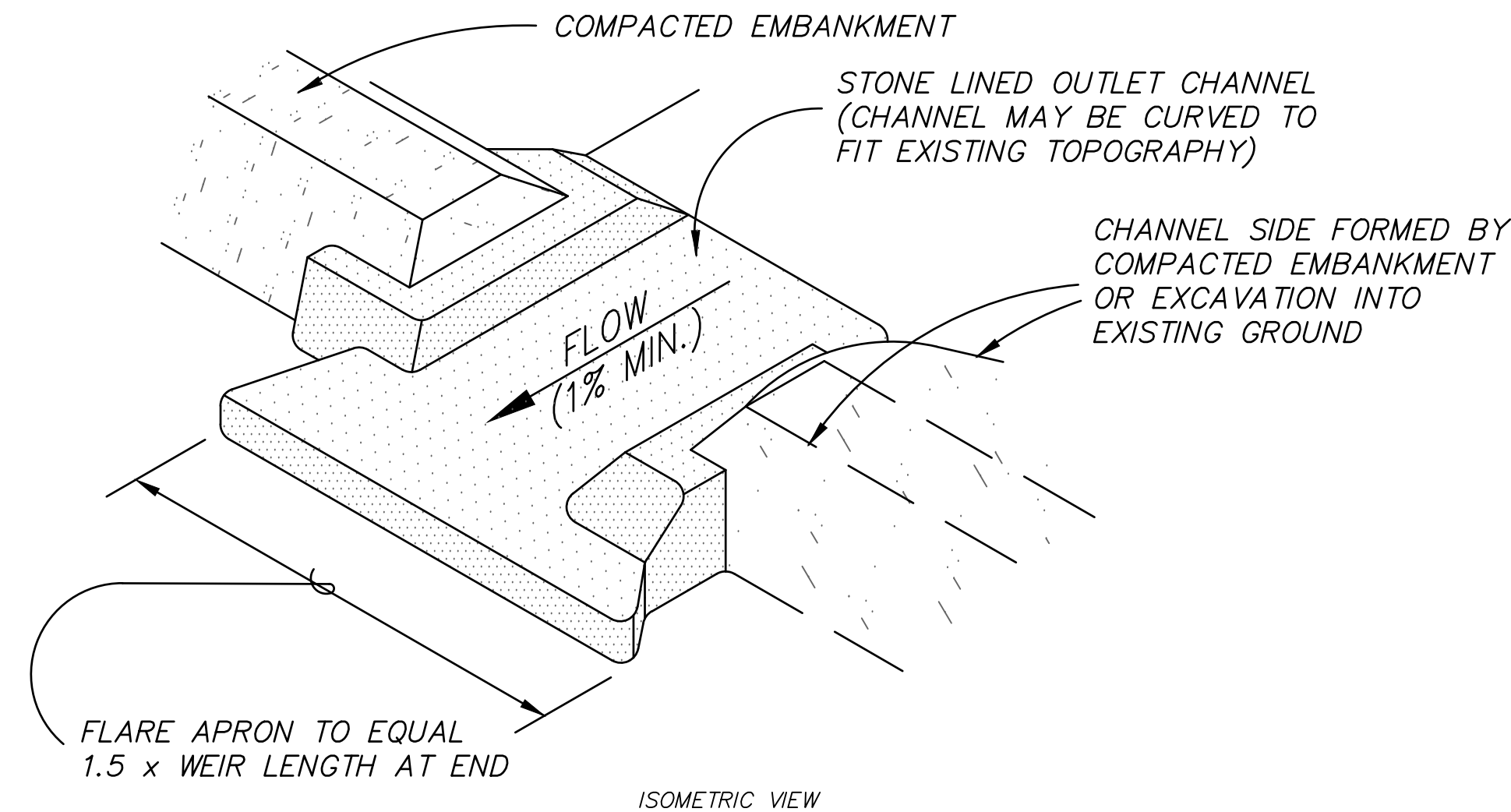
1. SEED AND MULCH ALL EXPOSED SOILS AS SOON AS FEASIBLE.

1. All areas of disturbance must have temporary or final stabilization within 7 days of the initial disturbance. After this time, any disturbance in the area must be stabilized at the end of each work day. The following exceptions apply: i) Stabilization is not required if work is to continue in the area within the next 24 hours and there is no precipitation forecast for the next 24 hours.

NOT FOR CONSTRUCTION

Today

1	04-29-2022	PROGRESS PLANS	MAM	LDC	

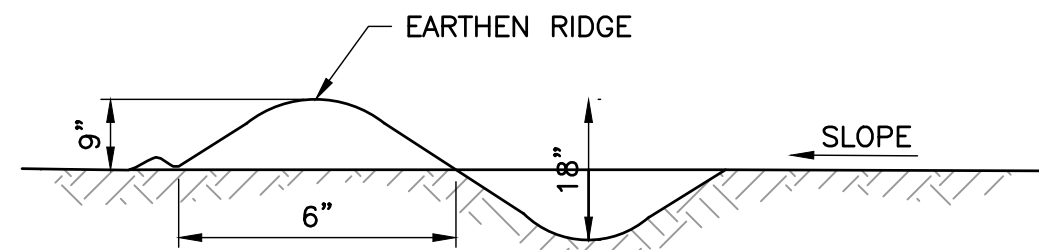


SEDIMENT BASIN
NOT TO SCALE

<u>GENERAL SEED MIX:</u>		Variety	lbs./acre l	bs/1000 sq. ft.
Birdsfoot	Trefoil*	Empire/Pardee	5**	0.10
<u>OR</u>				
Common White		Common	8	0.20
Clover ¹				
<u>PLUS</u>				
Tall Fescue		KY-31/Rebel	10	0.25
<u>PLUS</u>				
Redtop		Common	2	0.05
<u>OR</u>				
Ryegrass (perennial)				
*Add inoculant immediately prior to seeding				
** Mix 2.5 lbs each of Empire and Pardee OR 2.5 lbs of Birdsfoot and 2.5 lbs white clover per acre.				

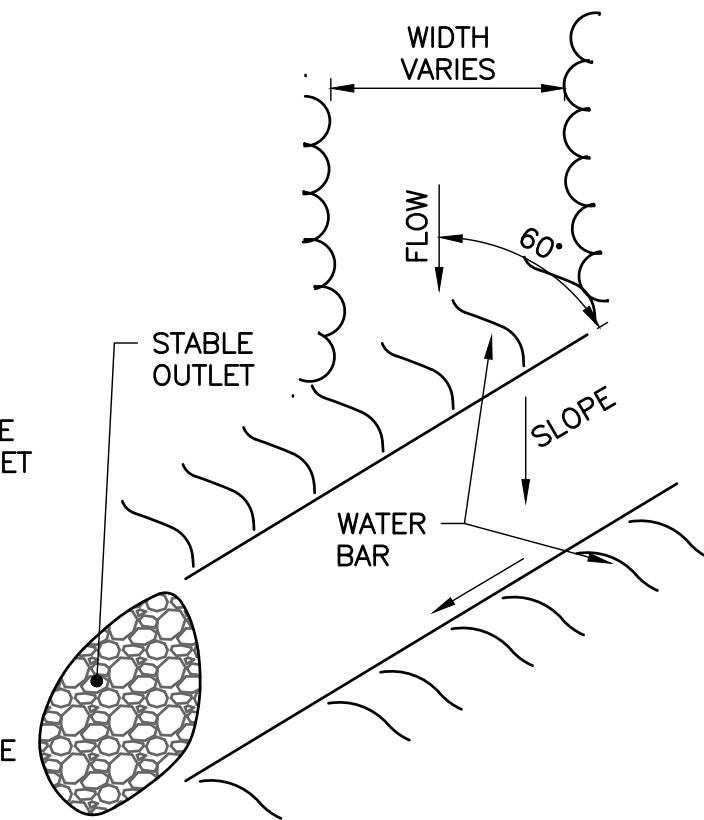
SEDIMENT BASIN/TRAP CONSTRUCTION SPECIFICATIONS

1. THE AREA UNDER THE EMBANKMENT SHALL BE CLEARED, GRUBBED AND STRIPPED OF ANY VEGETATION AND ROOT MAT, THE POOL AREA SHALL BE CLEARED.
2. THE FILL MATERIAL FOR THE EMBANKMENT SHALL BE FREE OF ROOTS OR OTHER WOODY VEGETATION AS WELL AS OVER-SIZED STONES, ROCKS, ORGANIC MATERIAL OR OTHER OBJECTIONABLE MATERIAL. THE EMBANKMENT SHALL BE COMPACTED BY TRAVERSING WITH EQUIPMENT WHILE IT IS BEING CONSTRUCTED. MAXIMUM HEIGHT OF THE EMBANKMENT SHALL BE FIVE (5), MEASURED AT THE CENTERLINE OF EMBANKMENT.
3. ALL FILL SLOPES SHALL BE 2:1 OR FLATTER; CUT SLOPES 1:1 OR FLATTER.
4. ELEVATION OF THE TOP OF ANY DIRECTING WATER INTO TRAP MUST EQUAL OR EXCEED THE HEIGHT OF THE EMBANKMENT.
5. STORAGE AREA PROVIDED SHALL BE FIGURED BY COMPUTING THE VOLUME AVAILABLE BEHIND THE OUTLET CHANNEL UP TO AN ELEVATION OF ONE (1) FOOT BELOW THE LEVEL WEIR CREST.
6. FILTER FABRIC SHALL BE PLACED OVER THE BOTTOM AND SIDES OF THE OUTLET CHANNEL PRIOR TO PLACEMENT OF STONE. SECTIONS OF FABRIC MUST OVERLAP AT LEAST ONE (1) FOOT WITH SECTION NEAREST THE ENTRANCE PLACED ON TOP. FABRIC SHALL BE EMBEDDED AT LEAST SIX (6) INCHES INTO EXISTING GROUND AT THE ENTRANCE OF THE OUTLET CHANNEL.
7. STONE USED IN THE OUTLET CHANNEL SHALL BE FOUR (4) TO EIGHT (8) INCHES (RIP-RAP). TO PROVIDE A FILTERING EFFECT, A LAYER OF FILTER FABRIC SHALL BE EMBEDDED ONE (1) FOOT BACK INTO THE UPSTREAM FACE OF THE OUTLET STONE OR A ONE (1) FOOT THICK LAYER OF TWO (2) INCH OR FINER AGGREGATE SHALL BE PLACED ON THE UPSTREAM FACE OF THE OUTLET.
8. SEDIMENT SHALL BE REMOVED AND TRAP RESTORED TO ITS ORIGINAL DIMENSIONS WHEN THE SEDIMENT HAS ACCUMULATED TO 1/2 THE DESIGN DEPTH OF THE TRAP. REMOVED SEDIMENT SHALL BE DEPOSITED IN A SUITABLE AREA AND IN SUCH A MANNER THAT IT WILL NOT ERODE.
9. THE STRUCTURE SHALL BE INSPECTED AFTER EACH RAIN AND REPAIRED AS NEEDED.
10. CONSTRUCTION OPERATIONS SHALL BE CARRIED OUT IN SUCH A MANNER THAT EROSION AND WATER POLLUTION ARE MINIMIZED.
11. THE STRUCTURE SHALL BE REMOVED AND THE AREA STABILIZED WHEN THE DRAINAGE AREA HAS BEEN PROPERLY STABILIZED.
12. DRAINAGE AREA FOR THIS PRACTICE IS LIMITED TO 15 ACRES OR LESS.

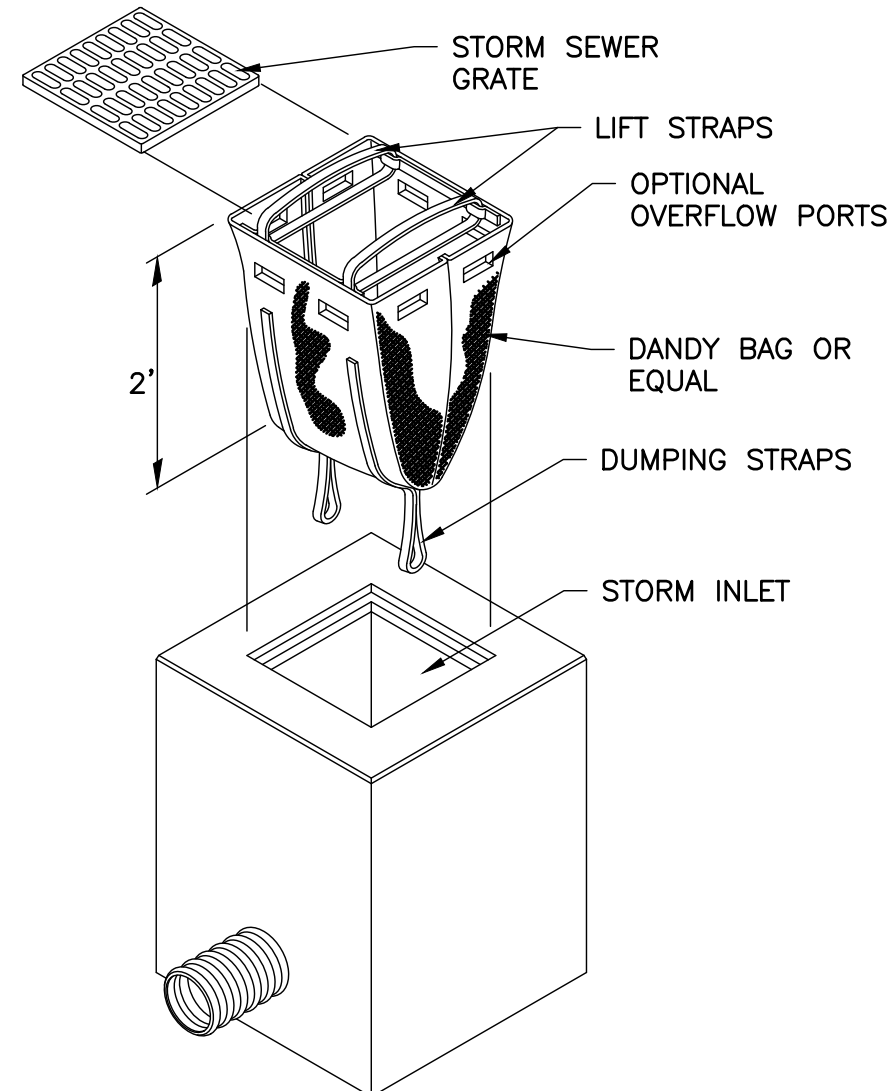


CONSTRUCTION SPECIFICATIONS:

1. INSTALL THE WATER BAR AS SOON AS THE RIGHT OF WAY IS CLEARED AND GRADED.
2. DISK OR STRIP THE SOD FROM THE BASE FOR THE CONSTRUCTED RIDGE BEFORE PLACING FILL.
3. TRACK THE RIDGE TO COMPACT IT TO THE DESIGN CROSS SECTION.
4. THE OUTLET SHALL BE LOCATED ON AN UNDISTURBED AREA. FIELD SPACING WILL BE ADJUSTED TO USE THE MOST STABLE OUTLET AREAS. OUTLET PROTECTION WILL BE PROVIDED WHEN NATURAL AREA ARE NOT ADEQUATE.
5. VEHICLE CROSSING SHALL BE STABILIZED WITH GRAVEL. EXPOSED AREAS SHALL BE IMMEDIATELY SEEDED AND MULCHED.
6. INSPECT WATER BARS FOR EROSION DAMAGE AND SEDIMENT. CHECK OUTLET AREAS AND MAKE REPAIRS AS NEEDED TO RESTORE OPERATION.



WATER BAR DETAIL
NOT TO SCALE



MECHANICAL PROPERTIES	TEST METHOD	UNITS	MARV
GRAB TENSILE STRENGTH	ASTM D 4632	kN (lbs)	1.78 (400) x 1.40 (315)
GRAB TENSILE ELONGATION	ASTM D 4632	%	15 x 15
PUNCTURE STRENGTH	ASTM D 4833	kN (lbs)	0.67 (150)
MULLEN BURST STRENGTH	ASTM D 3786	kPa (psi)	5506 (800)
TRAPEZOID TEAR STRENGTH	ASTM D 4533	kN (lbs)	0.67 (150) x 0.73 (165)
UV RESISTANCE	ASTM D 4355	%	90
APPARENT OPENING SIZE	ASTM D 4751	Mm (US Std Sieve)	0.425 (40)
FLOW RATE	ASTM D 4491	l/min/m ² (gal/min/ft ²)	2852 (70)
PERMITTIVITY	ASTM D 4491	Sec ⁻¹	0.90

INLET SEDIMENT FILTER
NOT TO SCALE

TOPSOIL & MULCHING NOTES:

1. TOPSOIL: IMPORTED TOPSOIL SHALL BE FERTILE, FRIABLE, SANDY LOAM CONTAINING A MINIMUM OF 6% AND NO GREATER THAN 20% BY DRY WEIGHT OF ORGANIC MATTER; FREE FROM SUBSOIL, REFUSE, DEBRIS, ROCKS, HEAVY CLAY, STONES LARGER THAN 20mm, AND NOXIOUS WEED SEEDS, AND SUITABLE FOR THE GERMINATION OF SEEDS AND THE SUPPORT OF HEALTHY VEGETATIVE GROWTH WITH A pH VALUE OF 5.5 TO 6.5
2. MULCH THE AREA WITH HAY OR STRAW AT 2 TONS/ACRE (APPROX. 90 LBS./1000 SQ. FT. OR 2 BAGS/1000 SQ. FT.) QUALITY OF HAY OR STRAW MULCH ALLOWABLE WILL BE DETERMINED BASED ON LONG TERM USE AND VISUAL CONCERNS. MULCH ANCHORING WILL BE REQUIRED WHERE WIND OR AREAS OF CONCENTRATED WATER ARE OF CONCERN. WOOD FIBER/HYDROMULCH OR OTHER SPRAYABLE PRODUCTS ARE NOT ALLOWED FOR THIS APPLICATION. MULCH TO BE USED IF APPLIED ACCORDING TO MANUFACTURERS' SPECIFICATION.

[illegible]



Burlington Planning Commission

Ordinance Committee Meeting Minutes

Thursday, February 4, 2021 @ 5:15 PM

Remote Meeting

Attendance

- **Committee Members:** Bruce Baker (BB), Emily Lee (EL), Matt Bushy (MB), Yves Bradley (YB)
- **Absent:** Ravi Venkataraman (RV)
- **Public:** none
- **Staff:** Scott Gustin, Mary O'Neil (Permitting & Inspections), David White (Planning Office),

1. Proposed dormer amendment

The Committee discussed proposed draft amendment language and forwarded the amendment to the full Planning Commission for consideration. A slight change was made to the draft Article 6 language to refer to dormers generally, rather than just doghouse dormers.

2. Building height measurement

Committee members reviewed several scenarios showing average grade measurement, stepped measurement along the street, and both together. Discussion will continue at a future meeting with draft amendment language and depiction of what that would look like in building form.

3. Adjournment

The Committee adjourned at 6:05 PM.



Burlington Planning Commission

Ordinance Committee Meeting Minutes

Thursday, March 4, 2021 @ 5:15 PM

Remote Meeting

Attendance

- **Committee Members:** Bruce Baker (BB), Matt Bushy (MB), Yves Bradley (YB)
- **Absent:** Ravi Venkataraman (RV), Emily Lee (EL)
- **Public:** Eric Farrell
- **Staff:** Scott Gustin, Mary O'Neil (Permitting & Inspections), David White (Planning Office), Kimberlee Sturtevant (City Attorney's Office)

1. Building height measurement

The Committee discussed proposed draft amendment language and forwarded the amendment to the full Planning Commission for consideration. They recommended deleting subsections (b) 1, 4, & 5 from the draft prepared by David White. Subsection (b) 1, in particular, needs additional thought and should be located with other retaining wall standards rather than with height standards.

2. Conditional use standards – character of the area

Committee members considered the four possible options for addressing the recent statutory change limiting the effect of “character of the area” criterion in conditional use review. The committee elected to pursue Option 4 that would make duplexes a permitted use in the RL zones and multi-family (up to 4 units) a permitted use in the Institutional zone.

3. Adjournment

The Committee adjourned at 6:20 PM.



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

www.burlingtonvt.gov/plan

TO: Planning Commission Ordinance Committee
FROM: Scott Gustin, Principal Planner & Zoning Division Manager
DATE: March 4, 2021
RE: Building Height Increments

Overview & Background

This amendment seeks to improve the connection between two existing sections of code pertaining to building height measurement in the Comprehensive Development Ordinance. Specifically, Sec. 5.2.6 (a) 1 A & B note two starting points for measuring a building's height – from the sidewalk or from the average finished grade around the entire building, depending on the distance from the sidewalk. Sec. 5.2.6 (a) 3 specifies increments for building height measurement along the street façade. The relationship between Sec. 5.2.6 (a) 1 A and 3 is clear. A building's height measured from the public sidewalk is done in increments to account for changes in grade along the street façade. The relationship between Sec. 5.2.6 (a) 1 B and 3 is not clear. How does the requirement for height measurement intervals along the street façade(s) relate to the average finished grade around the entire building? This amendment seeks to clarify this relationship. The end result is simply clarification that measurement of building height is done in increments along the street façade(s) in any case.

Proposed Amendment

Amendment Type

Text Amendment	Map Amendment	Text & Map Amendment
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Purpose Statement

The purpose of this amendment is very simple. It seeks to clarify that building height is measured in increments along the street façade, regardless of whether the building height is measured just from the public sidewalk or from the average finished grade around the entire building.

Proposed Amendments

Deleted language is ~~crossed out~~ and new language is underlined in red.

[Begin text amendment]

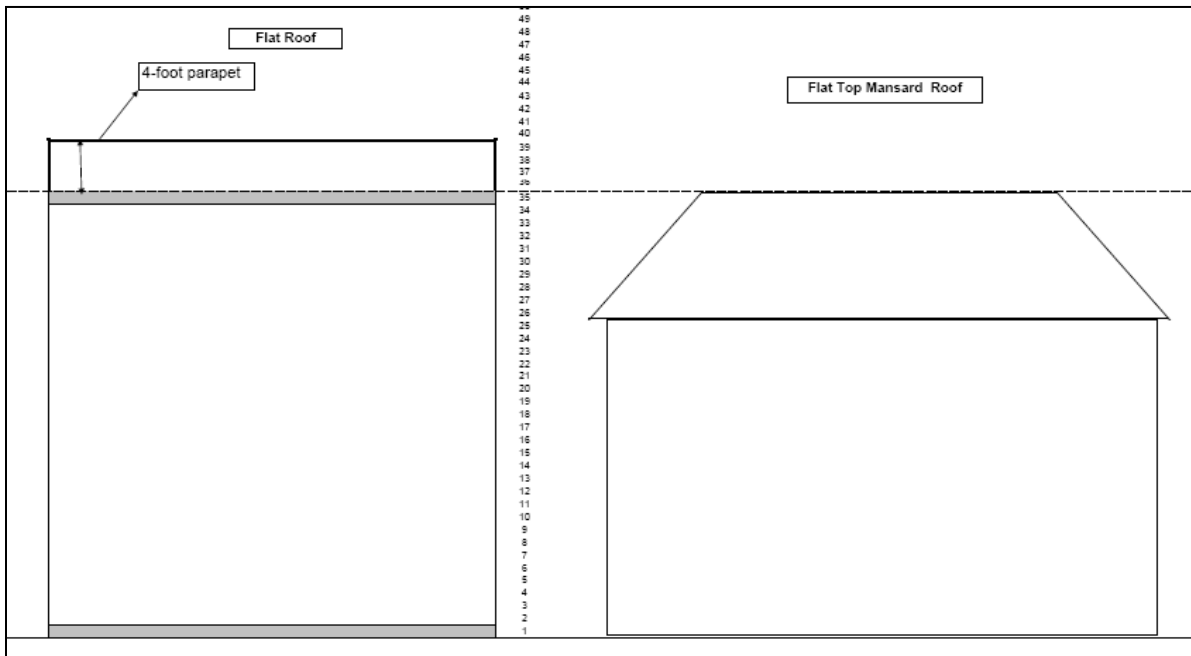
Sec. 5.2.6 Building Height Limits

No structure shall exceed thirty-five (35) feet in height unless otherwise authorized under the district-specific provisions of Article 4:

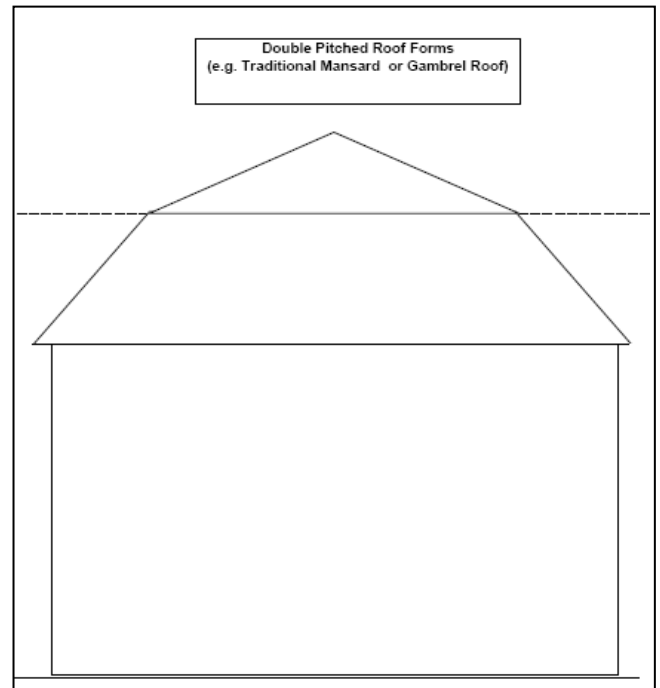
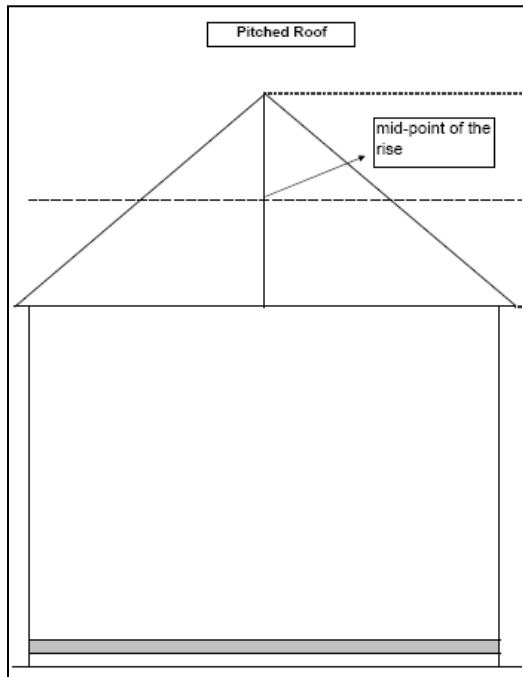
(a) Height Measurement:

The maximum height of any building shall be measured as follows:

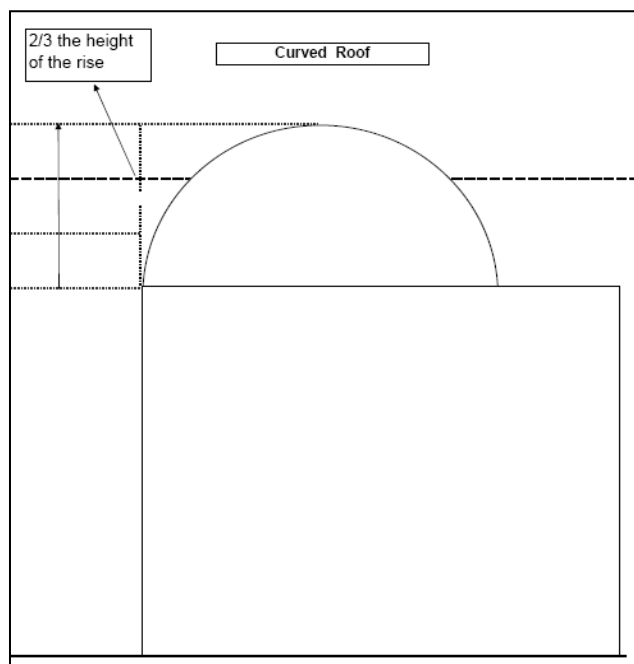
1. Starting Point: Building height shall be measured from:
 - A. a public sidewalk, alley, or other public way where it is within a ~~10~~⁵⁰-foot horizontal distance of an exterior wall on the front of the building; or,
 - B. the average finished grade within a 10-foot horizontal distance of all exterior walls of the building. In cases where a property line is within a 10-foot horizontal distance of an exterior wall, the average grade shall be measured between the property line(s).
2. Ending Point: Building height shall be measured to:
 - A. Flat Roof: the highest point of the decking of a flat or flat-topped mansard roof. A parapet no taller than four (4) feet shall not be considered part of a flat roof for the purposes of measuring building height;



- B. Pitched Roof: the midpoint of the rise between the roofplate and the ridge of the highest gable of a pitched or hipped roof. A double-pitched roof (e.g. gambrel or double-pitched mansard) shall be measured to the roofplate of the highest pitch; or,

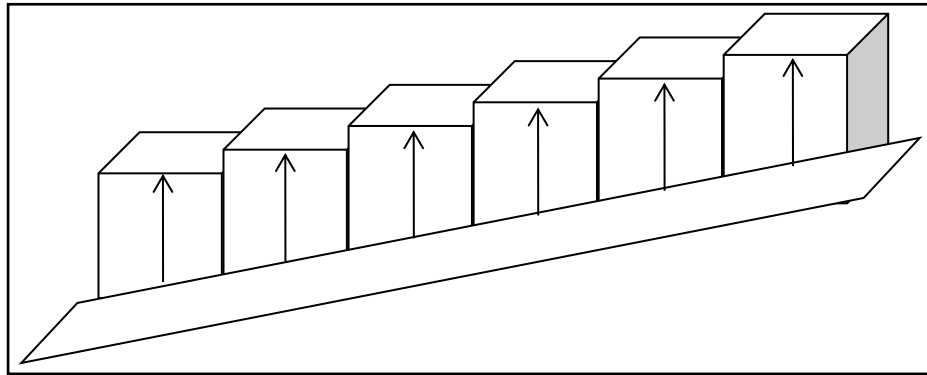


- C. Curved Roof: a point two thirds ($\frac{2}{3}$) the vertical distance from the point at which an exterior wall varies from a 100% slope and to highest point of the roof.

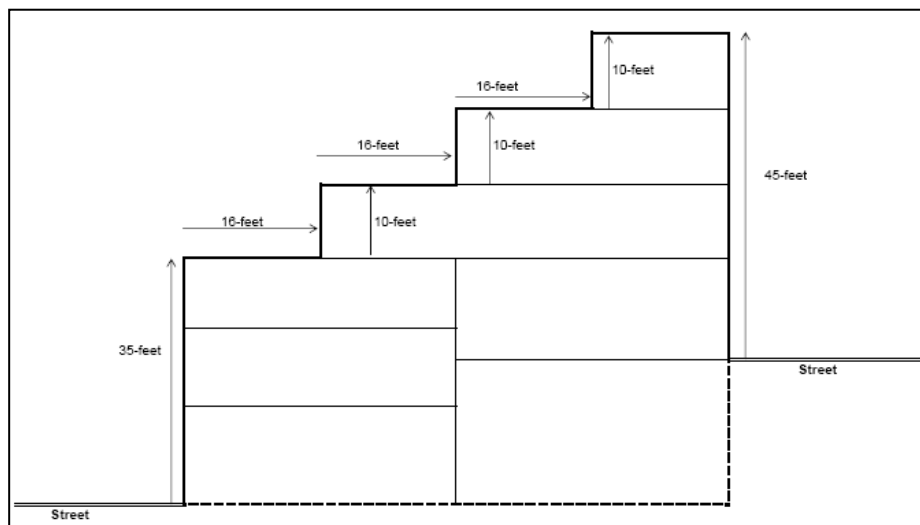


D. Other Roof Forms: Building height shall be measured as determined by the administrative officer in a manner that most closely reflects the intent of subsections (a) through (c).

3. Measurement Interval: To encourage a variation in building heights relative to terrain changes and encourage a variation in roof form, building height shall be measured along the street façade beginning **in increments of** no less than 16-feet or more than 32-feet from lowest corner, or where two streets intersect if a corner lot, and at an interval of no less than 32-feet or more than 65-feet for the entire length of the street façade (s). **This measurement interval applies when using either height measurement starting point as noted in (a) 1 of this section.**



4. Lots Fronting on Two or More Streets: Where a lot, other than a corner lot, fronts on two or more streets, the building height shall be measured along each street façade. Where the streets are at differing elevations, the building height may gradually increase above the maximum height allowed on the lowest street provided that any such additional height along the lowest street shall be set-back a minimum of 16-feet for every 10-feet of additional building height up to the maximum height allowed on the highest street.



5. Illustration: To illustrate height and bulk of the structure, the DRB may require the developer to prepare a scale model, computer visualization, illustrations, or other renderings of the proposed building in context with its surroundings.

[End text amendment]

Relationship to planBTV

This following discussion of conformance with the goals and policies of planBTV is prepared in accordance with the provisions of 24 V.S.A. §4441(c).

Theme	Dynamic	Distinctive	Inclusive	Connected
Land Use	Conserve	Sustain	Grow	

Compatibility with Proposed Future Land Use & Density

The proposed amendment does not impact the types or density of potential land use and density. It clarifies that building height measurement is done in increments along a building's street façade(s) in all cases.

Impact on Safe & Affordable Housing

The proposed amendment has no impact on housing safety or affordability.

Planned Community Facilities

The proposed amendment has no impact on planned community facilities.

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	Approve for Public Hearing	Public Hearing	Approved & forwarded to Council
				Continue discussion
City Council Process				
First Read & Referral to Ordinance Cmte	Ordinance Cmte discussion	Ordinance Cmte recommend as modified	Second Read & Public Hearing	CCOC Recommends Approval & Adoption
				Rejected

TO: Planning Commission

FROM: David E White, FAICP, Dir. of Planning
Scott Gustin, AICP, DPI Principal Planner & Zoning Division Manager
Mary O'Neil, AICP, DPI Principal Planner

DATE: April 21, 2021

RE: Proposed CDO Amendment: Height Measurement, Dormers & Eaves (will be ZA-21-07)

Overview & Background

This amendment addresses two areas within the Comprehensive Development Ordinance that relate to how a building's height is measured as follows:

Height Measurement:

This amendment seeks to improve the connection between existing sections of the Comprehensive Development Ordinance pertaining to how building height is measured:

- Sec. 5.2.6 (a) 1 A & B note two starting points for measuring a building's height – from the sidewalk or from the average finished grade around the entire building, depending on the distance from the sidewalk.
- Sec. 5.2.6 (a) 3 specifies increments for building height measurement along the street façade.

The relationship between Sec. 5.2.6 (a) 1 A and 3 is clear. A building's height measured from the public sidewalk is done in increments to account for changes in grade along the street façade. The relationship between Sec. 5.2.6 (a) 1 B and 3 however is not clear. How does the requirement for height measurement intervals along the street façade(s) relate to the average finished grade around the entire building? This amendment seeks to clarify this relationship. The end result clarifies that measurement of building height is done in increments along the street façade(s) in any case.

The Committee met and discussed this issue on 2/4 and 3/4, and unanimously recommended forwarding the staff recommendation to the full Planning Commission.

Dormers & Eaves:

The Comprehensive Development Ordinance offers no guidance on how the measurement of a building's height may be impacted when dormers are proposed. Dormers are a common building element that enable greater useable living space in an attic, and at times, can stretch or exceed height limits. This amendment seeks to articulate under what circumstances roof dormers actually affect building height and how. It also introduces a basic design standard and new definition of the term.

A related matter as to roof form is the term "eave" which lacks definition in the CDO. Eaves are allowed to project into setbacks. Lacking definition of the term, there have been proposals to stretch the concept of what an eave is in order to take advantage of the allowable setback encroachment. This amendment seeks to define the term "eave."

The Planning Commission Ordinance Committee discussed changes to address dormers and eaves separately, but the matters have been combined into one amendment given that they are both related to roof forms. The Committee addressed dormers January 7 and February 4, 2021 and

recommended forwarding the amendment to the full Planning Commission for consideration. The Committee discussed the eave matter at their March 7 and April 4, 2019 meetings and recommended forwarding the amendment to the full Planning Commission for consideration.

Proposed Amendment

Amendment Type

Text Amendment	Map Amendment	Text & Map Amendment
----------------	---------------	----------------------

Purpose Statement

The purpose of this amendment is to clarify that building height is measured in increments along the street façade, regardless of whether the building height is measured just from the public sidewalk or from the average finished grade around the entire building. Further, the proposed amendment identifies when and how roof dormers affect building height measurement, provides a design standard for dormers, and defines the terms "dormer" and "eave."

Proposed Amendments

Deleted language is ~~crossed out~~ and new language is underlined in red.

[Begin text amendment]

Article 5: Citywide General Regulations

Sec. 5.2.6 Building Height Limits

No structure shall exceed thirty-five (35) feet in height unless otherwise authorized under the district-specific provisions of Article 4:

(a) Height Measurement:

The maximum height of any building shall be measured as follows:

1. Starting Point: Building height shall be measured from:

A. a public sidewalk, alley, or other public way or space where the proposed building's street-facing façade is within a ~~1050~~ 50-foot horizontal distance of the lot's street frontage, of an exterior wall on the front of the building; or,

B. the average finished grade within a 10-foot horizontal distance of the building's street-facing façade where the proposed building is more than a 50-foot horizontal distance from the lot's street frontage, all exterior walls of the building. In cases where a property line is within a 10-foot horizontal distance of an exterior wall, the average grade shall be measured between the property line(s).

B.C. For buildings on sloped sites, see additional measurement standards in (b) below.

1-2. Ending Point: Building height shall be measured to:

A. Flat Roof: *As written.*

B. Pitched Roof: *As written.*

C. Curved Roof: *As written.*

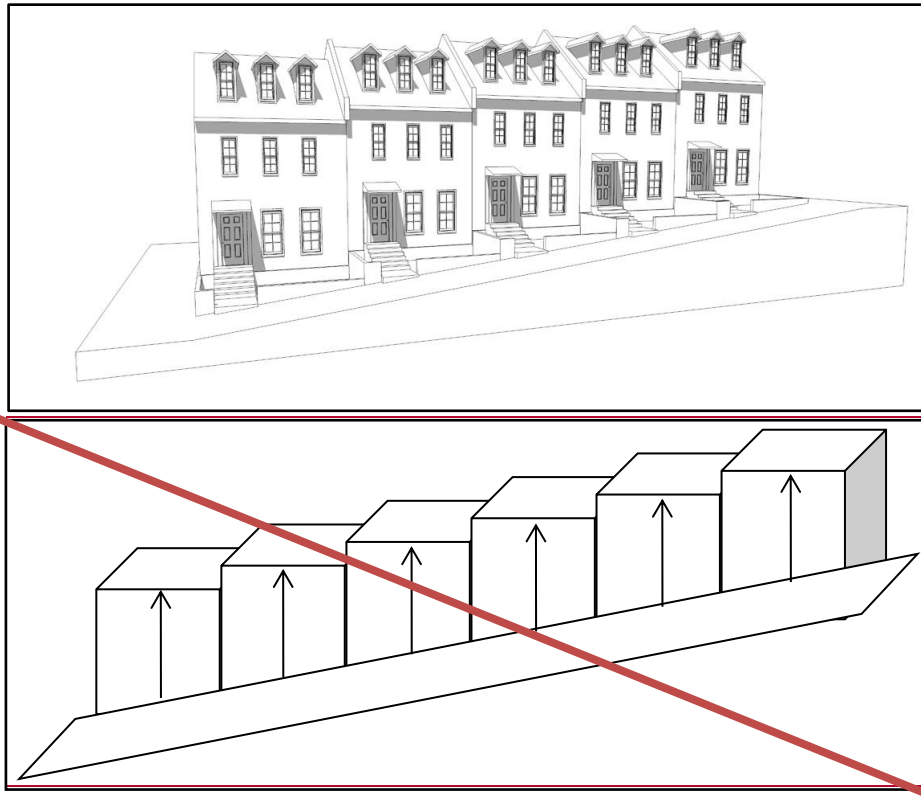
D. Roofs with Dormers: Building height will be calculated to the midpoint of the rise of any dormer that exceeds 50% of the width of

the horizontal eave length of the roof. Dormers less than this width do not affect height calculation noted in A – C and E of this subsection.

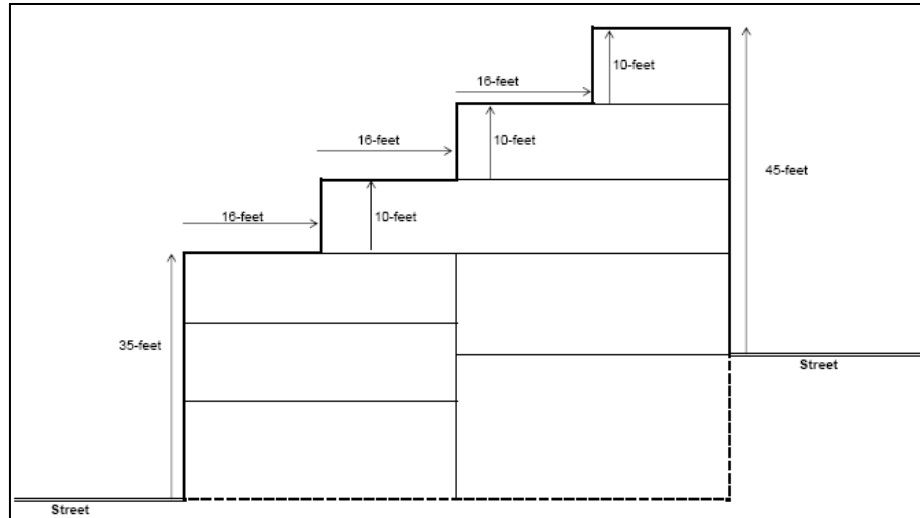
E. Other Roof Forms: As written.

(b) Buildings on Sloped Sites: Buildings on slopes shall reflect the pre-construction topography of the site by making use of opportunities to vary the building's height and roof forms relative to terrain changes as follows:

1. Measurement Interval: ~~To encourage a variation in building heights relative to terrain changes and encourage a variation in roof form, Building height shall be measured along the street-facing façade beginning no less than 16-feet or more than 32-feet from lowest corner, or where two streets intersect if a corner lot, and at an intervals of no less than 32-feet or more than 65-feet for along the entire length of the street-facing façade(s).~~



2. Lots Fronting on Two or More Streets: Where a lot, other than a corner lot, fronts on two or more streets, the building height shall be measured along each street-facing façade. Where the streets are at differing elevations, the building height may gradually increase above the maximum height allowed on the lowest street provided that any such additional height along the lowest street shall be set-back a minimum of 16-feet from the average plane of the building's street-facing façade below for every 10-feet of additional building height up to the maximum height allowed on the highest street.



3. Illustration: To ~~illustrate~~ evaluate the height and bulk of ~~the a proposed building structure in context with its surroundings,~~ the ~~DRB applicant~~ may be required the developer to prepare a scale model, computer visualization, illustrations, or other renderings ~~of the proposed building in context with its surroundings.~~

(cb) Exceptions to Height Limits

(Unchanged)

Article 6: Development Review Standards

Sec. 6.3.2 (a) 2, Roofs and Rooflines

New buildings should incorporate predominant roof forms and pitches within the existing neighborhood and appropriate to the context. Large expanses of undifferentiated roof forms shall be avoided. This can be achieved by incorporating dormers or some variation in the roof form to lessen the impact of the massing against the sky. While flat roofs can be a reasonable architectural solution, pitched roof forms and architectural elements that enhance the city's skyline are strongly encouraged. Roof eaves, parapets, and cornices should be articulated as an architectural detail. Roof-top mechanicals shall be screened from view from the public street, and should be incorporated into and hidden within the roof structure whenever possible.

Dormers shall not exceed the height of the ridgeline of the roof to which they are attached, and are limited in total to 33% of the horizontal eave length of the principal roofline.

Solar panels, light colored ballast or roof membranes, split roof clerestories, planted or "green" roof technologies (with a clearly articulated maintenance plan) and "gray water" collection are encouraged. Active rooftop uses are also encouraged to add to the visual complexity and activity of the city's skyline, and afford public access to otherwise unseen views of the city and surrounding landscape.

Article 13: Definitions

Eave: The edge of the roof which overhangs the face of an exterior building wall and, normally, projects beyond the side of a building; performing the primary function of the roof in throwing water clear of the exterior building walls.

Dormer: A roofed structure, often containing a window that projects vertically beyond the plane of a pitched roof. Dormers are commonly used to increase the usable space in a half story and to create window openings in a roof plane.

Shed dormers have a single, inclined roof.



Dog house dormers are gable roofed, typically with a single window.



All other definitions, as written.

[End text amendment]

Relationship to planBTV

This following discussion of conformance with the goals and policies of planBTV is prepared in accordance with the provisions of 24 V.S.A. §4441(c).

Theme	Dynamic	Distinctive	Inclusive	Connected
Land Use	Conserve	Sustain		Grow

Compatibility with Proposed Future Land Use & Density

The proposed amendment does not impact the types or density of potential land use and density.

Impact on Safe & Affordable Housing

The proposed amendment has no impact on housing safety and affordability.

Planned Community Facilities

The proposed amendment has no impact on planned community facilities.

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, PC OC review 2/4 & 3/4/21	Presentation to & discussion by Commission 4/27/21	Approve for Public Hearing	Public Hearing	Approved & forwarded to Council
				Continue discussion
City Council Process				
First Read & Referral to Ordinance Cmte	Ordinance Cmte discussion	Ordinance Cmte recommend as modified	Second Read & Public Hearing	CCOC Recommends Approval & Adoption
				Rejected



City of Burlington, VT
149 Church Street, 3rd Floor
Burlington, VT 05401

www.burlingtonvt.gov/plan

TO: Planning Commission
FROM: David E White, FAICP, Dir. of Planning
Scott Gustin, AICP, DPI Principal Planner & Zoning Division Manager
DATE: April 21, 2021
RE: Proposed CDO Amendment: Act 179 Changes to Ch. 117 (will be ZA-21-08)

Overview & Background

The Vermont legislature passed Act 179 (S.237) in September 2020, and the bill was signed into law on October 12, 2020. Among other things, this act included multiple changes to state enabling law (24 VSA Ch 117) intended to promote greater access to affordable housing. Specifically relevant to Burlington are 3 changes that require amendment to the *Comprehensive Development Ordinance (CDO)* in order to conform with these changes in state statute. These are:

- amending the definition and some requirements for accessory dwelling units
- requiring that certain "small lots" must be unable to connect to municipal water and sewer in order for a municipality to prohibit development on it
- prohibiting a municipality from denying dwellings of four or fewer units in districts that allow multi-unit dwellings based solely on the character of the area when conducting a conditional use review

The Planning Commission discussed each of these issues on Feb 23, 2021, and supported recommended staff changes applicable to sections of the *CDO* relative to Accessory Dwelling Units and Existing Small Lots. The Commission referred the issue of conditional use review for small multi-unit buildings to its Ordinance Committee for additional discussion.

The Commission's Ordinance Committee discussed the provisions related to conditional use review of multi-unit buildings between two and four units on March 4, 2021. Staff presented 4 possible approaches, with an overall recommendation which centered on removing conditional use review for all residential uses across the city. The staff recommendation that conditional use is not appropriate for residential uses located within a residential district is based on a number of factors, including:

- residential uses permitted or prohibited within each district should be more consistent with the purpose statement of the zoning districts involved (i.e. allowing duplexes as a permitted use in RL)
- there is regulatory redundancy between Conditional Use Review and Major Impact Review for multi-unit housing; ultimately Major Impact Review is more appropriate for considering changes in residential intensity
- Appendix A currently creates confusion between regulating use vs. regulating building type (ie. "Attached Dwelling(s) – Mixed-Use" is a building type, not a use).

The Ordinance Committee unanimously recommended forwarding the staff recommendation to the full Planning Commission for consideration.

Proposed Amendment

Amendment Type

Text Amendment	Map Amendment	Text & Map Amendment
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Purpose Statement

The proposed amendment addresses recent changes to the state enabling statute, ensuring that the CDO complies with new standards for ADUs, existing small lots, and small multi-unit dwellings.

Proposed Amendments

The following amendments to the Burlington CDO are included in this proposal:

1. Amend Sec. 5.2.1 Existing Small Lots

This affords additional provisions for the development of existing Small Lots, when those lots can connect to municipal water and sewer infrastructure.

2. Amend Sec. 5.4.5 Accessory Dwelling Units and Sec. 13.1.2 Definitions

This removes bedroom and occupant limits from ADU standards and definitions, and increases the alternative maximum size for ADUs to 900 sq.ft.

3. Amend Appendix A- Use Table

Changes duplex from a Conditional to Permitted use within the RL and RL-W districts; deletes "Attached Dwellings-Mixed Use" and distinguishes between multi-family dwellings of 3-4 units and those with 5 or more units; and changes multi-family dwellings of 3-4 units from a Conditional to a Permitted use in the Institutional district.

[Begin text amendments]

Note: Deleted language is ~~crossed out~~ and new language is underlined in red.

Sec. 5.2.1 Existing Small Lots

Any small lot of record existing as of April 26, 1973 may be developed for the purposes permitted in the district in which it is located even though not conforming to minimum lot size requirements if the lot:

- can be served by municipal water and sewer service; and;
- such the lot is not less than at least four thousand (4,000) square feet in area; with or and,
- the lot has a minimum width and depth dimension of forty (40) feet or more, and
- the lot can connect to municipal water and sewer infrastructure.

A permit for Any such development shall require a permit certificate of appropriateness pursuant to the standards of Article 4 and, where design review is applicable, design review provisions of Article 3 and the development standards of Article 6.

Sec. 5.4.5 Accessory Dwelling Units

(a) Accessory Units, General Standards/Permitted Uses:

Where there is a principal structure on a lot which exists as an owner-occupied single family residence, one accessory dwelling unit, that is located within or appurtenant to

such single family dwelling, shall be allowed as a permitted use if the provisions of this subsection are met. An accessory dwelling unit means ~~a an efficiency or one bedroom apartment~~ dwelling unit that is clearly subordinate to the principal dwelling, and has facilities and provisions for independent living, including sleeping, food preparation, and sanitation. ~~No accessory unit shall be inhabited by more than 2 adult occupants.~~ An accessory unit shall not be counted as a dwelling unit for the purposes of density calculation. Additionally, there must be compliance with all the following:

1. The property has sufficient wastewater capacity as certified by the Department of Public Works; and,
2. The unit does not consist of more than ~~800~~ 900 sq.ft., or 30 percent (30%) of the Gross Floor Area of the principal home, whichever is greater; and,
3. Applicable setback and coverage requirements are met, except as provided for in Sec. 5.2.3 (b) 10; and,
4. A deed or instrument for the property shall be entered into the land records by the owner containing a reference to the permit granting the accessory unit prior to the issuance of the certificate of occupancy for the unit. Such reference shall identify the permit number and note that the property is subject to the permit and its terms and conditions including owner occupancy. No certificate of occupancy shall be issued for the unit unless the owner has recorded such a notice.

Sec. 13.1.2 Definitions.

Accessory Dwelling Unit or Apartment: ~~An efficiency or one bedroom apartment~~ A dwelling unit that is clearly subordinate to a single-family dwelling, and has facilities and provisions for independent living, including sleeping, food preparation, and sanitation.

Appendix A – Use Table

See attached.

End text amendments

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 amendments, while necessary to maintain compliance with state enabling statutes, are consistent with the land uses and densities proposed in *planBTV*. These changes do not significantly change the overall land uses and densities permitted in residential areas of the city, but is in line with the plan's future land use vision, which anticipates small and incremental changes to residential areas within the context of existing development patterns.

Impact on Safe & Affordable Housing

The proposed amendments have no impact on housing safety, and may serve to improve affordability by reducing the time, cost, and complexity for small multi-family residential development.

Planned Community Facilities

The proposed amendment has no impact on planned community facilities.

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, PC OC review 3/4/21	Presentation to & discussion by Commission 2/23/21, 4/27/21	Approve for Public Hearing	Public Hearing	Approved & forwarded to Council
				Continue discussion
City Council Process				
First Read & Referral to Ordinance Cmte	Ordinance Cmte discussion	Ordinance Cmte recommend as modified	Second Read & Public Hearing	CCOC Recommends Approval & Adoption
				Rejected

Appendix A-Use Table – All Zoning Districts – PCOC Draft 03/04/2021

	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
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 CU ²	Y	Y	N	Y ³	N	Y	N	N	N
Attached Dwellings - Multi-Family (3 or more)	N	N ¹	N	N	CU Y	N	Y	Y	N	Y	Y	Y	Y	N	N
Attached Dwelling(s) – Mixed Use ²⁶	N	N¹	N	N	CU	CU	CU	CU	N	Y	Y	Y	Y	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.

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

www.burlingtonvt.gov/plan

TO: Planning Commission
FROM: David E White, FAICP, Dir. of Planning
DATE: April 21, 2021
RE: Proposed CDO Amendment: Updates and Corrections to Article 14 (will be ZA-21-09)

Overview & Background

This amendment makes a collection of corrections and revisions to Article 14 of the *Burlington Comprehensive Development Ordinance* (BCDO) – the planBTV: Form Based Code - based on the past 36+ months of real-world application to improve its consistent use and effective applicability. This has been a collective effort of the Permitting and Inspections team and some applicants working with Planning to collect problems, questions, and challenges confronted in its application to real-world projects since adoption in the fall of 2017.

Proposed Amendment

Amendment Type

Text Amendment	Map Amendment	Text & Map Amendment
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Purpose Statement

The purpose of this amendment is to revise Article 14 of the *Burlington Comprehensive Development Ordinance* (BCDO) based on the past 36+ months of real-world application to include a number of corrections and updates to improve its consistent use and effective applicability including:

- Consistent use of terms and concepts regarding things like allowed encroachments into setbacks, location of parking, glazing, and voids.
- Makes clear the the exemption for work being proposed for a public right-of-way or thoroughfare, and instead directs compliance with *Great Streets BTV: Downtown Street Standards*, and approval by the Dept. of Public Works.
- Adds new definitions including those for Awnings, Balconies, Canopies, Decks
- Revises rear yard setback in FD5 to be consistent with previous Downtown-Transtion District requirement
- Adds a new Civic Space Type for "Water-Dependent" sites to better incorporate current and potential use of Perkins Pier
- Revise Map 3 – Shopfronts Required to include the new segments of Pine and St. Paul streets
- Revises Urban Design Standards regarding Primary Materials, Balconies and Decks, and Awnings and Canopies to improve their practical application

- Consolidates standards regarding Fences into a single location for ease of use, and adds maximum height and expands material standards
- Clarifies how the requirements and standards apply to existing and non-conforming structures.
- Expands authority for Administrative Relief for minor variations from numerical standards.
- Removes references to "Planning and Zoning" department and "Director." and replaces them with "Permitting and Inspections" dept and "Administrative Officer" as appropriate

Proposed Amendments

Deleted language is ~~crossed out~~ and new language is underlined in red.

[Begin text amendment]

See attached

[End text amendment]

Relationship to planBTV

This following discussion of conformance with the goals and policies of planBTV is prepared in accordance with the provisions of 24 V.S.A. §4441(c).

Theme:	Dynamic	Distinctive	Inclusive	Connected
Land Use:	Conserve	Sustain		Grow

Compatibility with Proposed Future Land Use & Density

The proposed amendment does not impact the types or density of potential land use and density.

Impact on Safe & Affordable Housing

The proposed amendment has no impact on housing safety and affordability.

Planned Community Facilities

The proposed amendment has no impact on planned community facilities.

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 4/7/21	Presentation to & discussion by Commission 4/27/21	Approve for Public Hearing	Public Hearing	Approved & forwarded to Council
				Continue discussion
City Council Process				
First Read & Referral to Ordinance Cmte	Ordinance Cmte discussion	Ordinance Cmte recommendation	Second Read & Public Hearing	Approval & Adoption
				Rejected

Burlington Comprehensive Development Ordinance

PROPOSED: ZA-21-XX – planBTV Downtown Code Update

As prepared by the City Planning Office – April 21, 2021.

Changes shown (underline to be added, strike-out to be deleted) are proposed changes to the Burlington Comprehensive Development Ordinance.

Purpose: This amendment is to revise Article 14 of the BCDO to include a number of corrections and updates to improve its use and applicability.

Sec. 14.1.1-14.1.2 – unchanged

Sec. 14.1.3 -Applicability

This planBTV Downtown Code shall be applicable to all lands outside of the public rights-of-way or a Thoroughfare within the Downtown and Waterfront District as mapped or described on the Burlington Regulating Plan (Section 14.2), as such may be changed from time to time, pursuant to Section 14.2 - Regulating Plan. Any and all subdivision of land, development, and construction or modification of all Improvements, land, Buildings, and Structures in the Downtown and Waterfront District shall occur only in accordance with this Article 14 planBTV Downtown Code as in effect on the date of acceptance of the completed application for approval of the applicable Project Plan submitted pursuant to Section 14.7 Administration and Procedures.

Improvement, development, construction or modification within an existing or proposed public right-of-way or a Thoroughfare shall be made in accordance with Great Streets BTV: Downtown Street Standards, and require approval by the Dept. of Public Works.

To the extent applicable, and not otherwise in conflict with this Article 14-planBTV Downtown Code, the following sections of the Burlington Comprehensive Development Ordinance (CDO) shall also continue to apply:

- a) Article 1 - General Provisions
- b) Article 2 - Administrative Mechanisms;
- c) Article 3 - Applications, Permits and Project Reviews, Parts, 1, 2, 3, 5 and 6;
- d) Article 4 - Zoning Maps and Districts, Parts 1, 2, 3, and Part 5 Sec. 4.5.4;

- e) Article 5 - Citywide General Regulations, Parts 1 ~~and~~, 2, Part 3, Secs 5.3.1-5.3.4 and Secs 5.3.1-5.3.8, Part 4, Sec. 5.4.7 and, Sec. 5.4.8, and, Part 5;
- f) Article 7 - Signs
- g) Article 8 - Parking
- ~~g)~~h) Article 9 - Inclusionary and Replacement Housing;
- ~~h)~~i) Article 10 - Subdivision Review;
- ~~i)~~j) Article 12 - Variances and Appeals; and,
- ~~j)~~k) Article 13 - Definitions.

In each case, the standards and requirements applicable to the Downtown and Waterfront District Regulating Plan and this Article 14 shall take precedence without limitation over any duplicative or conflicting provisions of the other Articles of the Burlington Comprehensive Development Ordinance (BCDO).

If there is any conflict between the provisions of this Article 14 and any provisions of any other existing City codes, ordinances, regulations or standards (the "Existing Local Codes"), the provisions of this Article 14 shall take precedence over such conflicting provisions except for City and state Building, Fire, Health and Safety Codes.

The graphics, illustrations, photographs, tables, and metrics are an integral part of the planBTV Downtown Code; however:

- a) Photographs are provided only as general illustrative examples and are not binding;
- b) The illustrations of Table 14.3-A Burlington Form Districts Summary Table, Table 14.3.6-A Civic Space Types Summary Table, Table 14.4-A Building Types Summary Table, and Table 14.5-A Frontage Types Summary Table are provided only as general illustrative descriptions and are not binding;
- c) The diagrams, photographs, and illustrations contained in Sections 14.3.4 through 14.3.6 (Specific to Form Districts), Sections 14.4.4 through 14.4.13 (Specific to Building Types), and Sections 14.5.4 through 14.5.17 (Specific to Frontage Types) are provided only to indicate the general character of the various Form Districts and elements. References to metrics shown thereon however shall have regulatory effect.
- d) The graphics, illustrations, and photographs in Section 14.8 Glossary are provided for illustrative purposes only and are not binding;
- e) ~~h)~~ The graphical depictions of the Form Districts on the various Tables are provided for ease of reference only and are not binding. The Form District designations and standards applicable to each Form District are binding.

Where in conflict, metrics represented in text and/or tables shall take precedence over metrics represented graphically, and a more specific standard shall take precedence over a more general standard.

Sec 14.2.6 - Special Requirements

Map 3 - Shopfronts Required

Sec. 14.3.4 FD6 Downtown Core

14.3.4-C- Lot Occupation & Building Placement

Frontage Buildout & Building Setback

Rear Setback:

- | | |
|-----------------------|---|
| - Principal Buildings | 0-ft min. or 15-ft from a rear <u>public</u> Alley centerline |
| - Outbuildings | 0-ft min. or 15-ft from a rear <u>public</u> Alley centerline |

Table 14.3.4-E- Parking, Loading & Service

On-Site Parking

On-site parking shall be provided per the requirements of Sec. 14.6.7.

Location on the Lot

All parking provided within a Principal Building Type (other than a Perimeter Building) shall be located Underground, above the second Story, and/or at-grade within the first Story where located in the Third Lot layer and separated from the street by an Active Street-level Use.

~~Parking Lots are not permitted, and Parking Areas shall be located in the Third Lot Layer.~~

~~Unless located within a Principal Building below the finished grade or above the second Story,~~

~~a~~ All Parking Structures, and Garages, and Parking Areas shall be located in the Third Lot Layer behind a Principal Building Type Perimeter Building (see Sec. 14.4.11 and Sec. 14.6.3).

Parking Lots are not permitted

Miscellaneous

See also Sec. 14.6.7 for additional requirements pertaining to parking and site design.

14.3.4-F- Encroachments –into

Required Setbacks

Encroachment Type	Front	Rear
Frontage Type Elements ¹	Permitted	Permitted
Awnings and Canopies ²	Permitted	Not permitted
Signs ³	Permitted	Not permitted
<u>Balcony and Decks</u>		<u>4-ft max.</u> <u>encroachment</u>
Other Architectural Features ⁴	<u>4-ft max.</u>	4-ft max. <u>encroachment</u>
Landscaping	Permitted	Permitted
Fences or freestanding walls	Not permitted	6-ft max. height
Driveways, Walkways	Permitted	Permitted
Utility Structures	Not permitted	Permitted

14.3.4-G- Encroachments - Public right-of-way

³ Building eaves, roof overhangs, solar shades, and light shelves; bay windows, oriels, and vestibules that are less than ten feet wide; and, cornices, belt courses, window sills, buttresses, or other similar architectural features may encroach into the ROW provided they are a minimum of 10-ft above the Sidewalk.

Sec. 14.3.5 FD5 Downtown Center

14.3.5-C- Lot Occupation & Building Placement

Frontage Buildout & Building Setback

Rear Setback:

- | | |
|---------------------|---|
| Principal Buildings | - <u>03</u> -ft min. or 15-ft from rear <u>public</u> Alley centerline
- 10-ft min. along a Form District boundary shared with a residential district. |
| Outbuildings | - <u>03</u> -ft min. or 15-ft from rear <u>public</u> Alley centerline |

Table 14.3.5-E- Parking, Loading & Service

On-Site Parking

On-site parking shall be provided per the requirements of [Sec. 14.6.7](#).

Location on the Lot

All parking provided within a Principal Building (other than a Perimeter Building Type) shall be located: Underground, above the second Story, and/or at-grade within the first Story where located in the Third Lot layer and separated from the street by an Active Street-level Use.

~~Parking Lots are not permitted, and Parking Areas shall be located in the Third Lot Layer.~~

~~Unless located within a Principal Building below the finished grade or above the second Story, All~~ Parking Structures, [Garages](#) and ~~Garages~~ [Parking Areas](#) shall be located in the Third Lot Layer behind a [Principal](#) ~~Perimeter~~ Building (see [Sec. 14.6.3](#) and [Sec. 14.4.11](#)) ~~Type~~.

Parking Lots are not permitted

Miscellaneous

See also [Sec. 14.6.7](#) for additional requirements pertaining to parking and site design.

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14.3.5-F- Encroachments ~~into~~ Required Setbacks

Encroachment Type	Front	Rear
Frontage Type Elements ¹	Permitted	Permitted
Awnings and Canopies ²	Permitted	Not permitted
Signs ³	Permitted	Not permitted
Balcony and Decks		4-ft max. encroachment
Other Architectural Features ⁴	4-ft max.	4-ft max. encroachment
Landscaping	Permitted	Permitted
Fences or freestanding walls	Not permitted	6-ft max. height
Driveways, Walkways	Permitted	Permitted
Utility Structures	Not permitted	Permitted

89

14.3.5-G- Encroachments - Public right-of-way

³ Building eaves, roof overhangs, solar shades, and light shelves; bay windows, oriels, and vestibules that are less than ten feet wide; and, cornices, belt courses, window sills, buttresses, or other similar architectural features may encroach into the ROW provided they are a minimum of 10-ft above the Sidewalk.

Sec. 14.3.6-I Water-Dependent

Intent

An Open Space associated with water-dependent recreation and related facilities.

Specifications

Form District

FD5

Size

No size limits

Frontage

Independent

Character

Informal

Coverage¹

80% max.

Buildings and Structures¹

1,500 sqft max in aggregate

Setback for Buildings and Structures

50-feet from the mean high water mark of Lake Champlain (100-feet above mean sea level) unless encroachment is required for the operation of a water-dependent use or facility.

Features such as walkways, planters, benches, fountains, public art, sitting walls and other improvements to enhance the pedestrian environment and enjoyment of the waterfront may encroach into this required setback provided public access to the water's edge and pedestrian circulation is not unreasonably impaired.

¹ Not inclusive of any associated Civic Buildings.

Typical Facilities

- Water-oriented facilities and services such as docks, marinas, boat ramps and lifts, boat fueling and pump-out, restrooms, marina office and chandlery, and facilities for commercial vessels.
- Civic, recreational, and community facilities
- Playgrounds and play Structures
- Passive recreation, paths, and trails
- Buildings and Structures necessary to support water-oriented facilities and services
- Commercial concessions

Parking

On-site parking is not required, and may not occupy more than 60% of the gross site area.

Sec. 14.4.13 - Urban Design Standards

a) - *unchanged*

b) **Windows & Doors:**

iii. Principal Entrances shall be defined and articulated by architectural elements such as lintels, pediments, pilasters, columns, canopies, awnings, transoms, sidelights, or other design elements appropriate to the architectural style and details of the Building as a whole. Bays including a Principal Entrance should be expressed vertically, and may continue onto the upper stories. Such bays are not required to include additional horizontal expression or upper story step-backs as required in c) below.

iv. Where provided:

A-D - unchanged

~~E. Shading devices designed and intended to control light entering the Building may project no more than 5 feet from the Facade, shall be consistent in materials, color, and design across the same Facade, and shall be placed, sized, shaped, and proportioned to match the associated openings.~~

c) **Façade Articulation and Upperstory Stepbacks:**

iii. Building Facades shall be horizontally articulated as follows:

C. The top story (~~other than a penthouse setback at least 10-feet from the primary plane of the Façade below~~) must have a cornice, parapet, pitched or shaped roof form and/or other equivalent architectural feature involving a projection from the average plane of the Façade of the story below by at least 12-inches to serve as an expression of the Buildings top.

iv. The upper stories of any Building exceeding 6 stories in height shall step-back as follows:

A. An upper story step-back of at least 10-feet from the primary plane of the Façade below shall occur above ~~either the 2nd 3rd, 4th, or 5th story.~~ with the resulting Building base ~~seeking to maintain~~ing a consistent height of at least 50-feet along Main and Battery streets, and at least 33-feet on all other downtown streets, in order to frame and define the public realm.

d) **Building Materials:**

i. Primary Materials: Not less than 80 percent of each street-facing Façade (~~not inclusive of voids~~) shall be constructed of one or more primary materials comprised of tested and proven, high quality, durable, and natural products. For Facades over 100 square feet, more than one Primary Material shall be used. Changes between Primary Materials must occur only at inside corners. The following are considered acceptable Primary Materials:

A. Brick and tile masonry;

B. Native or sintered stone;

C- E - unchanged

ii-iii - unchanged

~~iv. Fences: Fence materials shall not include barbed or razor wire. Chain link and wire fencing shall not be used along any Frontage Line, however, woven cable fencing is permitted.~~

iv. Roof Materials (not applicable to flat roofs). Acceptable roof materials include 300 pound or better, dimensional asphalt composite shingles, wood shingles and shakes, metal tiles or standing seam, slate, and ceramic tile. To the extent possible, all roof materials and colors should be selected to minimize solar reflectance.

vi. Alternate Materials: Alternate materials, including high quality synthetic materials, may be approved by the ~~Planning Director~~Administrative Officer after seeking input from the Design Advisory Board. New materials must be considered equivalent or better than the materials listed above and must demonstrate successful, high quality local installations. Regionally-available materials are preferred.

vii. Other: - *unchanged*

e). Walls:

- i. Unfinished (ie. not clad or constructed in a Primary or Secondary Material per d) above)
foundation walls on a Principal Building shall be exposed no more than 48-inches above the
finished grade. Surface-applied waterproofing on any foundation wall shall not be visible.

ii-vi – unchanged

f). Roofs: – *unchanged*g) Balconies and Decks: Where provided, all Balconies and Decks shall meet the following specifications:

- i. Balconies must be at least 4-feet deep (A) and 5-feet wide, and shall not project more than 8-feet from the plane of the Façade or Elevation to which it is attached.
- ii. Balconies shall be cantilevered or visibly supported by brackets or beams sized, shaped and proportioned to match the associated ~~b~~Balcony. Columns or posts extending to the ground within the public right-of-way are prohibited ~~on a Façade, except in the case of a Gallery Frontage Type.~~
- iii. Balconies shall provide 8-feet minimum clear height above the finished grade, or 13-feet 6-inches minimum clear height above the finished grade above any area used for vehicular parking or circulation, or emergency vehicle access.
- ~~iv.~~ The ~~b~~Balcony platform shall be at least 3-inches thick, and where the underside of a balcony is visible from a public way it shall be finished. Balconies may ~~or may not~~ incorporate a ~~roof~~, Canopy or Awning, but shall not be enclosed.
- v. Decks shall be permitted only in the Third Lot Layer or on rooftops.
- vi. Decks may include a Canopy, Awning or free-standing pergola, but shall not be enclosed.

h) **Awning and Canopies:** Awnings ~~s~~ and ~~e~~Canopies are encouraged as a traditional street-level store-front fitting to accent and provide shade and/or shelter over a primary entrance, display windows, or outdoor seating. Awnings and Canopies may also be found above upper story windows and Balconies, and over secondary entrances. Where provided, ~~such all~~ Awnings and Canopies ~~placed on a Façade~~ shall meet the following specifications:

- i. Awnings and ~~e~~Canopies shall provide 8-feet minimum clear height above the finished grade ~~(A)~~, and ~~shall project a minimum of 6 feet from the Façade (B) to a maximum of 2 feet from the curb (C)~~. 13-feet 6-inches minimum clear height above the finished grade shall be provided above any area used for vehicular parking or circulation, or emergency vehicle access (A).

- 185 ii. First floor Awnings and Canopies shall project a minimum of 3-feet from the Façade (B)
186 or Elevation to which it is attached to a maximum of 2-feet from the curb (C). Awnings
187 and Canopies on upper story windows may project no more than 5-feet from the Facade.
188 Awnings that cannot project a minimum of 3-feet due to the small size of the opening,
189 shall project a minimum of 50% of the height of the opening (e.g. a window that is 4-ft tall
190 shall project at least 2-ft).
- 191 ~~ii.~~iii. Awnings and Canopies shall be placed, sized, shaped, and proportioned to match the
192 associated openings or width of the associated Frontage, and shall be consistent in
193 materials, color, and design across the same Façade, Frontage Type, or architectural
194 bay.
- 195 ~~iii.~~iv. Awnings and Canopies that span across an entire Façade-Frontage shall be fixed no
196 higher than the top of the first story.
- 197 ~~iv. All awnings and canopies used within an individual Frontage Type shall be consistent in~~
198 ~~materials, color, and design.~~
- 199 v. Awnings and Canopies shall not be internally illuminated or backlit, however they may
200 contain lighting fixtures intended to illuminate the ground beneath when covering a
201 Building entrance.
- 202 ~~v.~~vi. Awnings and Canopies may incorporate signage pursuant to the requirements of Article
203 7.
- 204 ~~vi.~~vii. Awnings shall have an internal or external structural framework of steel/aluminum or
205 other appropriate, durable structural material supporting a thin, non-translucent covering
206 material with a matte finish such as painted metal, acrylic, canvas, or synthetic fabric.
207 The Awnings design should shall not include a soffit, and c or side panels. Retractable
208 awnings are encouraged. Columns or posts extending to the ground are prohibited within
209 the public right-of-way. Retractable Awnings are encouraged.
- 210 ~~vii.~~viii. Awnings shall be are typically rectangular in elevation and triangular in cross-section, with
211 shall have straight edges with no arcs or curves, and may be pitched to shed water off to
212 the side when placed over a Building entrance. The valance of the an Aawning shall be
213 no more than 12-inches in height (D).
- 214 ix. Canopies are typically rectangular in both elevation and in cross-section, shall have
215 straight edges with no arcs or curves, and may be pitched enough to shed water off to
216 the side when placed over a Building entrance. The faces of the Canopy shall be no more
217 than 24-in in height (D).
- 218 x. Canopies shall be constructed of steel/aluminum or other appropriate, durable structural
219 material, and The canopy may be clad in metal panel, wood, or other durable finished
220 material.

viii.xi. The eCanopy design shall may include a flat roof be or be left open to from above without a roof using louvers or slats instead to provide shade, and the exterior faces of the canopy should be no more than 24-in in height (D).

ix.xii. Canopies projecting into the public right-of-way shall be cantilevered or supported from above, and C columns or posts extending to the ground are prohibited. Canopies placed outside of the public right-of-way may be partially or fully free-standing.

i). **Other:**

- i. Upper-story open exterior fire stairs shall be located in the Third Lot Layer. They may be located in the Second Lot Layer provided they are enclosed and incorporated and designed in a manner consistent with the overall architectural design of the Building.
- ii. Permanent vertical access features (stairs, ramps, etc.) ~~handicapped access ramps~~ located in the First Lot Layer must be integrated into the design of the chosen Frontage Type. Otherwise they must be located in the Second or Third Lot Layer.
- iii. All utility service connections shall be underground for new construction.
- iv. The footprint area of an Outbuilding may not exceed the footprint area of the Principal Building.

(photo caption) - An example of a ~~handicapped~~ vertical access ramp integrated into a Building Frontage.

Sec 14.5.15- Courtyard Frontage Type

14.5.8-C - Standards

Courtyard - 12-ft min.

Width - lessor of 1/3 the total Building width or 35-ft max

Courtyard 12-ft min.- 35-ft max

Depth

Canopy/Awn 10-ft from Façade max

ing

Projection

Clear Path of Travel to a Principal Entrance

14.5.8-D - Miscellaneous

A maximum of one Courtyard is permitted per Principal Building.

A Courtyard shall remain open to the sky, and may not contain Driveways, parking, loading or service areas, or mechanical equipment or vents.

A Courtyard may include a free-standing Canopy, Awning, umbrellas or pergola, but they shall not be enclosed.

The Courtyard shall be activated as a space for gathering, circulation, outdoor shopping, and/or restaurant seating.

The proportions and orientation of ~~these spaces~~ a Courtyard should be carefully considered for solar orientation and user comfort.

A Courtyard is considered as part of the Building for the purpose of measuring the Frontage Buildout. All faces of the recessed Courtyard shall be considered to be part of the Façade.

Sec 14.5.15- Forecourt Frontage Type

14.5.15-D - Miscellaneous

A Forecourt occupies the First Lot Layer, and may extend the depth of a maximum required front yard setback to an amount equal to the maximum depth permitted in Sec. 14.5.15-C.

A Forecourt shall remain open to the sky, and may not contain Driveways, parking, loading or service areas, or mechanical equipment or vents.

A Forecourt may include a free-standing Canopy, Awning, umbrellas or pergola, but they shall not be enclosed.

Hardscape coverage requirement may be achieved through a combination of pervious and impervious surface materials.

Sec. 14.6.4- Building Height

a) thru c) - *unchanged*

d) Basements and Crawl Spaces

- i. Exposed basement walls visible along any Frontage shall not exceed ~~89~~ nine ~~nine~~ eight feet in height measured from the exterior finished grade to the finished floor of the Story above.
- ii. Unfinished crawl spaces taller than 3 (three) feet shall be screened from view from public Thoroughfares with landscaping.
- iii. Unfinished crawl spaces shall not exceed 5 (five) feet in height measured from the exterior finished grade to the finished floor of the Story above.

e) **Grading or Regrading of Sites.** Sites with uneven topography present unique issues in relation to Building height. Buildings on steep slopes shall reflect the pre-construction topography of the site. When a site's topography is modified, the site shall be graded in such a way to avoid the following features:

- i. Retaining walls or unfinished blank walls taller than 4 feet in height along required Principal or Secondary Frontage;
- ii. Retaining walls taller than 8 feet in height along the rear or side setbacks; and
- iii. The construction of Buildings that do not reflect the preconstruction topography of the site. Illustrations below show appropriate site grading methods.

f) - *unchanged*

Sec. 14.6.7- Parking and Circulation

a) thru d) – *unchanged*

e) **Parking Structures and Garages**

- i. With the exception of individual Garages serving a Rowhouse Building Type which shall be located in the Third Lot Layer, all Parking Structures and Garages shall be located: -within a Principal Building Type and located Underground, above the second Story, and/or in the ground floor when located in the Third Lot layer and separated from the street by an Active Street-level Use; or,
~~- behind a Perimeter Building (See Section 14.4.11), or enclosed below the finished grade or above the second story within a Principal Building that provides active uses (such as, but not limited to, residential lobby, retail, office, recreational, or services) at the street level along the width of the Frontage a minimum of 20 feet deep.~~

ii-vi – *unchanged*

g) **Parking Spaces, Lot Design and Layout**

i - ii – *unchanged*

iii. Stacked and Tandem Parking. – *otherwise unchanged*

Sec. 14.6.8- Site and Landscape Standards

a) **Purpose and Applicability**- *unchanged*

b) **Site Standards:**

v. Fences and Free-standing Walls:

A. Fences and Free-standing Walls placed within the First Lot Layer shall not exceed 4-feet in height. Fences and Free-standing Walls placed within the Second or Third Lot Layer shall not exceed 8-feet in height unless a different height limit is specified under the applicable Form District or Frontage Type.

B. Materials used for Fences and Free-standing Walls shall be limited to Brick and tile masonry; Native or sintered stone; Wood – panels, clapboard or shingles; Cementitious siding, metal, and woven or braided cable wire. Chain-link and welded-wire fencing shall not be used along any Frontage Line with the exception of the temporary enclosure of a construction site, or where required by the Building Official to protect public safety. Barbed or razor wire shall not be used in any application. Alternate materials may be approved by the Administrative Officer after seeking input from the Design Advisory Board. Alternate materials must be considered equivalent or better than the materials listed above, and must demonstrate successful, high quality local installations. Regionally-available materials are preferred.

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

c) **Landscape Standards:** *otherwise unchanged*

d) **Solid Waste Storage Areas** - *unchanged*

Sec. 14.7 – Administration and Procedures

14.7.1 - Applying for a Zoning Permit: Submission Requirements and Review

a) – *unchanged*

b) Application Submission. Each application shall be submitted to the Department of Planning and Zoning Permitting and Inspections along in a form to be provided by the Department. Upon its determination that an application is complete, the Department shall process each application in accordance with this Section.

c) – *unchanged*

328 **d) Modification of Submission Requirements.** The Administrative Officer ~~Director~~ may allow
329 the modification of the application and submission requirements listed above, including reducing
330 and/or combining existing and proposed information on the same site plan, provided that any
331 modification enables adequate review of the application. The Administrative Officer ~~Director~~ may
332 also require the submission of additional information when deemed necessary to make a decision
333 on the request. Such additional information may include but is not limited to the following:
334 *(remaining unchanged)*

335
336 *e) - unchanged*

337
338 **f) Review and Approval of Civic Spaces and Civic Buildings.**

339 The creation of new Civic Spaces or Civic Buildings, or the Substantial Modification of an existing
340 Civic Space or Civic Building, shall follow the process as defined below. Any other proposed
341 alteration to an existing Civic Space or Civic Building shall be reviewed and approved by the
342 ~~Director~~ Administrative Officer who shall ensure ongoing compliance with the intent and
343 standards of this Chapter as applicable.

344
345 Because of their important civic nature and public use, the design and form of a new or
346 Substantial Modified Civic Space or Civic Building shall be determined after:

- 347 • pre-application review and consultation with the departments of City Planning and Zoning,
348 Permitting and Inspections, Community and Economic Development, and Parks, Recreation,
349 Waterfront;
- 350 • a pre-application Neighborhood Public Meeting pursuant to Sec. 3.2.1 (d) of the BCDO;
351 • review and recommendation of the Design Advisory Board; and,
352 • final review and approval by the Development Review Board.

353
354 *Remaining section is unchanged*
355
356
357

Sec. 14.7.2 - Non-Conformities

In addition to that as specified in Article 5, Part 3 Non-Conformities of the *Burlington Comprehensive Development Ordinance*, any Building, Structure, Frontage, Development, Site, Improvement, or other appurtenance thereto ~~non-conformity~~ which lawfully existed at the time of adoption of the applicable provisions of this ~~or any~~ Article or any amendment thereto may be continued subject to the following provisions:

a) Nothing in these regulations are intended to prevent normal repair and maintenance necessary to keep a Building, Structure, Site, Improvement or other appurtenance thereto in a safe and sound condition;

b) Any Building, Structure, Frontage, Development, Site, ~~sign~~, Improvement, or other appurtenance thereto which legally existed on the effective date of this Article that does not conform to the requirements of this Article may continue until a Substantial Modification is requested or Abandonment occurs;

c) Any nonconforming structure may be enlarged, maintained, repaired or altered; provided, however, that no enlargement, maintenance, repair or alteration shall either create an additional nonconformity or increase the degree of the existing nonconformity of all or any part.

~~a)d)~~ At such time when a Substantial Modification is requested or Abandonment occurs, only the affected portion(s) of the Building, Structure, Frontage, Development, Site, ~~sign~~, Improvement, or other appurtenance thereto shall be required to comply with all applicable provisions of this Article, and to the greatest extent practicable in the determination of the Administrative Officer or unless relief is provided by the DRB pursuant to Sec. 14.7.3 below;

~~b)~~ Any modification other than a Substantial Modification an existing Building, Structure, Frontage, Development, Site, ~~sign~~, Improvement, or other appurtenance thereto shall be permitted By Right only if such changes result in greater conformance with the specifications of this Article;

e) Any change or modification shall not create any new nonconformity; and,

~~d)e)~~ Buildings listed or eligible for listing on the State or National Register of Historic Places shall not be required to make any modifications under ~~a) and b) above~~ this section that would threaten their historic integrity.

14.7.3 - Variation from the Form: Administrative Relief, DRB Alternative Compliance, and Variances

The planBTV Downtown Code is intended to result in By-Right approval where development occurs strictly in conformance with the requirements of the applicable Form District. In some instances, however, it may be necessary to vary the prescribed form in order to accommodate

unique site and/ or building circumstances in order to promote context-sensitive development. In such instances, an applicant may seek Administrative or Development Review Board approval for relief from the requirements as set forth below. Any and all relief from the prescribed standards shall run with the land and be binding on the Property Owner and its/their successor and assigns. Applications requesting relief shall be made in writing and in the form as determined by the Department.

a) **Administrative Relief.** The Administrative Officer shall have the authority to authorize modification of up to 10% from any numerical standard set forth in this Article inclusive of any specific relief set forth in Table 14.7.3-A Administrative Relief below ~~sets forth relief from the prescribed standards that may be granted by the Director.~~ No other relief from the prescribed standards shall be permitted except as approved by the Development Review Board in b) below.

i. Any request for Administrative Relief shall extend the requirements of 24 VSA 4448(d) regarding Administrative decisions for an additional 30 days in order to provide for opportunities for public notice and comment pursuant to Departmental procedures.

ii. Decisions by the Administrative Officer ~~Director~~ regarding any Relief granted shall be made in writing and upon affirmative findings that:

A. The relief granted is the minimum necessary to achieve the desired result;

B. Granting the relief will yield a result equal to or better than in strict compliance with the standard;

C. ~~The~~The property will otherwise be developed consistent the purpose of this ordinance, the intent of the Form District, the intent and purpose of the section that the relief is being sought, and all other applicable standards; and,

D. Any additional findings as may be required by Table 14.7.3-A Administrative Relief as follows:

Table 14.7.3-A - Administrative Relief

Type of Relief	Limits of Relief Granted	Required Findings	Standards Reference
<i>previous unchanged</i>			
Glazing Voids: A reduction in the amount of required minimum glazing voids on Primary and Secondary Facades	Maximum of 10% from the required <u>Glazing voids</u>	The relief is necessary to meet the requirements of a High Performance Building Energy Code or program.	Section 14.4: Specific to Building Types, Table 14.4.15- A Street Activation = <u>Primary and Secondary Façade</u> , and Section 14.5: Specific to Frontage Types
Glazing Voids:	Maximum of 10% of the required linear distance between <u>windows voids</u>	The relief is necessary for the creation of stronger distinctions between	Section 14.4: Specific to Building Types, Table 14.4.13-

A reduction in the maximum
linear distance between
window openings ~~voids~~

individual Frontage Types
and/or at Building corners.

remaining unchanged

b)-c) - *unchanged*

Sec. 14.8 - Glossary

Active Street-level Use: a use or activity within a space that is regularly frequented and actively utilized by workers, residents, guests, and/or patrons of the Principal Use; invites direct access from the public sidewalk or Civic space; and, provides visual interest and engagement to pedestrians on the adjacent sidewalk. Active street level uses generally include, but are not limited to retail, restaurants, bars, entertainment, hospitality, professional and personal services, libraries, institutional, educational and cultural facilities, office, residential, and entrance lobbies. Active Street-level Uses do not include those intended for parking, storage, mechanicals, utilities, and other substantially similar secondary or accessory uses and spaces.

Awning: A fixed or retractable wall mounted frame covered with fabric or other pliable material that provides decoration and shade and weather protection over a patio, window, storefront, or Building entrance.

Balcony: A wall-mounted projecting platform with a railing accessible from an upper story doorway that provides outdoor amenity space above the first floor.

Canopy: A fixed wall mounted or stand-alone rigid structure that provides decoration and shade and weather protection over a patio, window, storefront, or building entrance.

Deck: A roofless, raised platform on the ground or on top of a roof that is accessible from a secondary entrance that provides outdoor amenity space.

Department: The Department of Permitting and Inspections.

Thoroughfare: a public or private way for use by public vehicular, pedestrian, and bicycle traffic that provides Access to Lots and Open Spaces, and incorporates vehicular lanes and Public Frontages.

Streetscreen: a freestanding hedge, fence or wall of between 3.5 and 8 feet in height built (a) along the Frontage Line or (b) on the same plane as the Façade of the Building to Screen a Parking Lot, Parking Area or Loading Area, provide privacy to a side yard or rear yard, and/ or strengthen the spatial definition of the public realm. A Streetscreens may have include an openings no larger than necessary 4-feet to allow automobile and enable pedestrian Access, and may be no longer than 20-ft or 20% of the Frontage whichever is less.

Burlington Planning Commission

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Andy Montroll, Chair
Bruce Baker, Vice-Chair
Yves Bradley
Alexander Friend
Emily Lee
Harris Roen
Jennifer Wallace-Brodeur

Burlington Planning Commission with City Council Ordinance Committee

Tuesday, April 13, 2021, 6:30 P.M.

Remote Meeting via Zoom

Draft Minutes

Members Present	A Montroll, B Baker, Y Bradley, A Friend, E Lee, H Roen, J Wallace Brodeur, C Mason, J Hanson, Z Hightower
Staff Present:	D White, M Tuttle, S Gustin, K Sturtevant, P Wehman, B Ward
Attendance:	J Fish, R Camara, K Van Woert, A Magyar, M Barlow, J Hinsdale, F Lee, K Hackett, J Heller, E Redic, B Redic, L Kettler, L Jenson, M Orleans, K Gauthier, S carpenter, B Foust, D Lyons, J Marks, B Gonyaw, K Casella, K Cavoretto, R Danielson, S Bushor, one additional phone number unidentified

I. Agenda

Call to Order	Time: 6:38pm
Agenda	No Changes

II. Public Forum

Name	Comment
B Redic	City says it is interested in supporting homeownership for people of color, but disappointed about amount of work required to purchase a 3-unit home. Due to lack of paperwork in the City, required to make a significant investment to turn it into a duplex, and most recent concern is that it has been vacant for 60 days, losing the opportunity to maintain it for this purpose. Looking for support from the committee.

III. Proposed CDO Amendment: Short Term Rentals

Action: Amend proposed STR regulations to require owner-occupancy for all unit types.		
Motion: E Lee	Second: A Friend	Failed 2-5. Lee, Friend in favor; Baker, Bradley, Montroll, Roen, Wallace Brodeur oppose.
Action: Amend proposed STR regulations to allow STR in 1 and 2 unit buildings when host does not live on-site if owner has owned property for 3 years.		
Motion: B Baker	Second: H Roen	Passed 4-3. Baker, Bradley, Montroll, Roen in favor; Friend, Lee, Wallace Brodeur oppose.
Action: Approve the Municipal Bylaw Amendment Report and forward proposed CDO and Ch. 18 amendments to Council as amended, with recommendation.		
Motion: Y Bradley	Second: J Wallace Brodeur	Passed 6-1. Lee opposed.
Staff provided an overview of the current proposal for both CDO and Ch. 18 amendments, which are posted online at: https://www.burlingtonvt.gov/CityPlan/PC/Agendas		
The Chair opened the Public Hearing at 6:51pm with the following comments received:		

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 802-865-7144.

- E Redic- Disappointed in lack of concern about who is being impacted and harm to the community. Say want affordable housing and safe places to live, but the only way to do that is relieve some of the regulations in place. City is making it difficult to be a landlord, and putting own family and tenants at risk.
- K Casella- Proposed STR regulations are draconian and overreach. Did not do work to document how many STRs have replaced housing units, how owner-occupancy requirement is addressing a problem. 38% of VT STR hosts use STRs as primary income; personally use STR income to pay increasing taxes. Proposal could make homeownership impossible in Burlington, and harm homeowners' livelihood. Ask committee to withdraw the proposal, reconsider impacts, and implement a registration process.
- J Heller- Applaud adoption of clear and understandable regulations; do not think ability to STR should be based on neighbors' relationships.
- J Marks- Request withdraw of proposal until more data and evidence based recommendations to improve living conditions. Proposal is unlikely to improve housing, but will economically impact property owners. Lack of affordability is due to lack of growth, stagnant wages, and cumbersome zoning ordinance. ARPA will bring money for affordable housing in state and S.79 is likely to pass the legislature and have a positive impact on housing and reveal the true nature of STRs. Many whole unit STRs in Burlington were never long-term housing before.
- L Jenson- Withdraw the recommendations because committee is not willing to create a truly progressive policy. Impacts have not been meaningful debated, housing summit report has not been satisfied. Need to know who will benefit vs. be harmed; how the policy will make housing more affordable; and impact on tenants, tax income, and tourism economy. Need to determine the process and benchmarks for evaluating changes to the policy. Concerned about why housing inspections are not required in partial unit STRs renting just 1 or 2 bedrooms.
- A Magyar- How will the city replace the loss of rooms and meals tax, money from tourism economy if STRs are reduced? Pandemic has caused economic ruin but STRs have a role in the recovery. Burlington is a tourist city, and tourism will roar back after the pandemic. STR guests stay longer and spend more than typical visitors, distribute economic impacts outside of downtown, and money stays in local area. STRs are not new; homes and camps have been around, but sharing platforms ensure that taxes are paid. Is the Committee willing to risk not knowing how this will impact the city's economy?
- D Lyons- Eliminate requirement for primary residence for single unit and duplexes. Landlord should be able to permit a building whether they live on site or not. Committee should consider proposal from last month to allow owners of a building for 3+ years to host STR if they don't live on site. It is a balanced approach. Otherwise, should wait to see what S.79 does at the state level.
- Jacob Hinsdale- Concerned about false choice suggested between STR and long-term rentals. STRs require a lot more resources on a day-to-day basis compared to a LTR rental. Don't believe that large landlords will ever convert housing units en masse, partially because there is not enough labor to keep up with the work required. Don't think it will impact overall availability of housing in the city if people can STR another property that they own. Should be more data and reflection about relationship to state level policies.

The Chair closed the Public Hearing at 7:31pm, with Committee discussion to follow:

- At request of Committee members, A Montroll reintroduced proposal to allow people that have owned a property for 3+ years to STR even if they do not live at the property.
- Some Committee members supported this idea as a way to reach compromise, to avoid putting existing STR hosts out of business, but to stem property speculation and with little impact on existing rental housing stock. Generally, these members felt this provided flexibility for people to STR to afford to stay in their home or keep up their properties.

- Other Committee members were concerned this would create an incentive not to convert a housing unit back to long-term, resulting in a loss of workforce housing, and concerns that it was benefitting property owners who have already been able to invest in the market while excluding new property owners. Some committee members suggested a willingness to loosen the rules in other ways, but did not support this approach.
- Some committee members noted that waiting is not an option, both due to the post-pandemic potential to see an increase in STRs, as well as a concern that state-level policy may not address Burlington specific issues.
- A Committee member noted that it is disingenuous to say people are going to lose "their" home, because the proposal allows people to STR their own home. Having a second property is a significant investment. It was noted by several committee members that precluding STRs in some properties does not preclude the opportunity to make money from long-term renting.
- Some Commissioners noted that the committee has only heard from hosts, but not the people who are looking for housing in the city, including the 60% of households that are renter-occupied, and that the Committee has the responsibility to consider everyone.
- At the conclusion of the discussion, a motion to require owner-occupancy for all STR scenarios failed, and a motion to enable off-site hosting for 1 and 2 unit properties that have been owned for 3+ years passed. It was clarified that this is a recommendation to send to the City Council, but that the Council will ultimately have the authority to amend or adopt the proposed regulations.

IV. Reapprove Municipal Bylaw Amendment Report ZA-21-06

Action: Reapprove Municipal Bylaw Amendment Report and forward to Council for adoption.		
Motion: A Friend	Second: E Lee	Vote: Approved Unanimously
At the recommendation of staff, Council Ordinance Committee modified the proposed amendment to replace term "no-mow" with "low-mow". Commissioners supported the amendment as being accurate to the intent of the definition.		

V. Commissioner Items

Action: N/A		
Motion: NA	Second: NA	Vote: NA
• H Roen noted he will not be seeking reappointment at the end of the term in June, will focus on work with Renewable Energy Vermont. • B Baker noted continued concerns about how zoning presents a barrier to the next generation of homeownership in Burlington, including that duplexes aren't allowed in some of the existing zoning districts. • E Lee requested an update to the rental housing code to include on the permit checklist the requirement for recycling totters for all rental buildings, and the requirement to have a physical barrier that defines parking areas.		

VI. Minutes & Communications

Action: Approved the minutes and accepted the communications		
Motion by: A Friend	Second: J Wallace Brodeur	Vote: Approved Unanimously
• Minutes Approved: March 9, 2021 • Communications filed enclosed in agenda packet, and additional communications posted online at https://www.burlingtonvt.gov/CityPlan/PC/Agendas		

VII. Adjourn

Adjournment		Time: 8:49
Motion: H Roen	Second: J Wallace Brodeur	Vote: Approved Unanimously

April 21st, 2021

Burlington Planning Commission
c/o Department of Planning and Zoning
149 Church Street
Burlington, Vermont 05401

Re: Expanding the FD5 boundaries to include buildings along Pine Street north of King Street

Dear Members,

Please accept this letter as a formal request to amend the 2019 extension of the downtown FD5 District to include 3 buildings on the west side of Pine Street north of King Street. This request is put forth by the two owners of these buildings:

Offenhartz Inc., 157-159 Pine Street; Offenhartz Inc., 161-163 Pine Street; Amy Gonyaw, 76 King Street.

The red outlined areas in the map below are the 2019 expansions of FD5. The green outlined area encompasses the buildings we request added to FD5:



We are requesting this change so that we can have the flexibility to use our buildings for purposes which are allowed in FD5 and not allowed in residential high density, the current zoning designation for these buildings. We strongly believe it is appropriate that these buildings are zoned FD5 as it is in keeping with the FD5 zoning on either side of this block and with the plan for future growth of Burlington as it is described in Burlington's Comprehensive Plan.

In 2019, the Commission voted to extend the FD5 boundaries in several locations on the edge of the FD5 District. One of additions to the FD5 District is a slice of the block which includes our buildings, the block between Main, King, South Champlain, and Pine Streets. You can see this in the image above. We question why the buildings facing Pine St. on this block were not added along with this strip. Burlington's Comprehensive Plan identifies Pine St as a major thoroughfare and area suitable to accommodate the city's future growth. The Plan goes on "we need to have places where we can accommodate and encourage future growth and development in order to maintain our vibrancy, tax base, and character." The parking requirements tied to building use were removed along Pine St recently in preparation for encouraging this intensity of use described in the Plan. It is only a matter of time before these buildings are designated FD5 as they are already part of downtown in character and it is the stated plan to encourage growth there.

To illustrate our position further, the following is the Purpose Statement from the 2019 FD5 zoning boundary amendment: "The purpose of this proposed amendment is to modify the boundaries of Form District 5 to include additional properties located along the boundary of the current district. Properties

considered for inclusion in the FD5 district were evaluated for their current use, future potential use, development intensity, and compatibility with adjacent properties. They have been recommended to be included in the FD5 in order to encourage the type and intensity of future infill or redevelopment consistent with adjacent properties, to enable greater flexibility for expansion or reuse of existing uses and structures, and/or reduce existing non-conformities.” We believe that not including these 3 buildings is directly at odds with this purpose statement.

Below are the buildings neighboring our 3 that are already designed FD5.

This is 168 Pine St. It is a 6 unit multifamily and is zoned FD5. It is directly across the street from our property.



This is 151-153 Pine St. It is a 5 unit multifamily. It is one building north of the 3 building we are requesting added to FD5. It was added to FD5 with the recent zoning changes.



It seems an oversight that these three buildings were not included in the 2019 expansion of FD5. We would like this corrected so that we can use our buildings in a way that is in keeping with their location in downtown Burlington as described in Burlington's Comprehensive Plan. Thank you for considering this amendment and for your dedication to ensuring Burlington grows in a thoughtful way.

Sincerely,

Steven Offenhartz, Bill and Amy Gonyaw

April 22, 2021

Rachel Lomonaco
District 4 Coordinator
Natural Resources Board
111 West Street
Essex Junction, Vermont 05452

Re: 410116-21H Burlington School District - Burlington

Dear Ms. Lomonaco:

VTrans has reviewed the proposed permit application as well as the VHB Traffic Impact Study (Exhibit 016, VHB-Burlington High School TIS, January 2021) and offers the comments below.

The proposed project consists of an after-the-fact change in use of former Filene's/Macy's store building into the host site for Burlington High School. According to the VHB traffic impact study, the proposed project is expected to generate 275 additional net trips per hour (vph) during the AM peak hour and a net *decrease* of 85 vehicles during the PM peak hour. These net trip calculations factor in the multimodal transportation of students and faculty (walking, buses, and bicycling) while also accounting for the AM and PM trips the previous land use (Macy's). In the case of the PM peak hour trips, the Macy's department store had created more trips than the school will create thus a net decrease of 85 vehicles was realized.

In reviewing the application and traffic impact study there are a few key points with the new high school location that should be noted:

- The school is not providing additional or new traffic to Burlington per se. It is shifting existing school traffic from its previous location approximately 1.5 miles away.
- The school traffic at the Macy's location will be for temporary use.
- As mentioned in the application description, this is an "after-the-fact" use. Students and faculty are currently using this building. This will form a good initial measure for monitoring traffic and multimodal behavior to see what is working or not working, respectively.
- The new school location is located in the downtown district with multiple town roads in a grid pattern to enhance traffic dispersion.

- The new downtown location of the school puts it within local street and sidewalk infrastructure for convenient bicycle and pedestrian access for students and faculty.
- The new downtown location of the school is in close proximity to the GMT downtown transit center for convenient transit access.

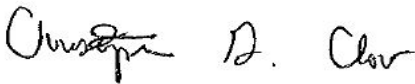
Based on these factors, VTrans concurs with net trip generation and traffic analysis from the VHB traffic impact study and has no concerns with this improvement relative to the impact of the project on traffic congestion, safety, or access for pedestrians, cyclists, and transit.

Act 145 Transportation Impact Fee

Based on our review of this permit application, VTrans does not recommend payment of a transportation impact fee pursuant to Act 145. A transportation impact fee is not required due to the fact that the school relocation is temporary, and the net PM trip generation will decrease relative to the traffic of the previous land use (Macy's). In the case where a project's net PM trip generation remains the same or decreases from that of the previous establishment, an Act 145 transportation impact fee is not warranted.

Please contact me with any questions or comments at 802-522-4901 or christopher.clow@vermont.gov

Sincerely,



Christopher G. Clow, PE
Transportation Engineer

Attachment
cc: Certificate of Service

CERTIFICATE OF SERVICE #4C0116-21H

I, Christopher Clow, of the Agency of Transportation hereby certify that on April 22, 2021, I sent a comment letter to the District #4 Environmental Commission concerning the applicant, Devonwood Cherry Street Associates, and the Burlington School District, 4C0116-21H by U.S. Mail, postage prepaid or by email to the following:

Burlington School District
150 Colchester Avenue
Burlington, VT 05401
mspauldi@bsdvt.org

Devonwood Cherry Street Associates, LLC
101 Cherry Street, Suite 440
Burlington, VT 05401
dave@btvspaces.com

David Farrington Jr.
4724 Spear Street
Burlington VT 05401
dave@btvspaces.com

Dave Marshall, PE
Civil Engineering Associates, Inc.
10 Mansfield View Lane
South Burlington, VT 05403
dmarshall@cea-vt.com

Amy Bovee, Assistant City Clerk
Chair, City Council/Chair, Planning Commission
City of Burlington
139 Church Street
Burlington, VT 05401
abovee@burlingtonvt.gov

Chittenden County Regional Planning Commission
c/o Charlie Baker, Exec. Dir.
Regina Mahony, Planning Program Manager
110 West Canal Street, Suite 202
Winooski, VT 05404
permitting@ccrpcvt.org

Agency of Natural Resources
One National Life Drive, Davis 2
Montpelier, VT 05602-3901
ANR.Act250@vermont.gov

Dept. of Public Service
112 State Street, Drawer 20
Montpelier, VT 05620-2601
barry.murphy@vermont.gov
PSD.VTDPS@vermont.gov

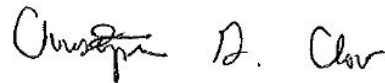
VTrans Policy, Planning, and Research Bureau
Barre City Place
219 N. Main St.
Barre, VT 05641
AOT.Act250@vermont.gov

Vt. Agency of Agriculture, Food, and Markets
16 State street, Drawer 20
Montpelier, VT 05620-2901
AGR.Act20@vermont.gov

Division for Historic Preservation
National Life Building, Drawer 20
Montpelier, VT 05620
scott.dillon@vermont.gov
james.duggan@vermont.gov
ACCD.ProjectReview@vermont.gov

Jennifer M.V. Fitch, PE, Commissioner
Judy Bruneau, Executive Assistant
Department of Buildings and General Services
2 Governor Aiken Avenue
Montpelier, VT 05633-5801
jennifer.fitch@vermont.gov
judy.bruneau@vermont.gov

Dated at Montpelier, Vermont this 22nd day of April 2021.



Christopher G. Clow, PE
Vermont Agency of Transportation

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
Emily Lee
Harris Roen
Jennifer Wallace-Brodeur

Burlington Planning Commission

Tuesday, April 27, 2021, 6:30 P.M.

Remote Meeting via Zoom

To Join the Meeting on a Computer

Link: <https://us02web.zoom.us/j/84364677580?pwd=VVkrWEtaMmVldWx4UFI3TGpvZjFkZz09>

To Join the Meeting on a Phone

Number: +1 312 626 6799 Meeting ID: 843 6467 7580

AGENDA

I. Agenda

II. Chair's Report

III. Director's Report

IV. Public Forum

Public forum for items not on the agenda. See the Agenda Packet for details on how to participate in the public forum for this meeting.

V. Proposed CDO Amendment: Height Measurement, Dormers & Eaves

The Planning Commission will discuss a proposed amendment to the Burlington *Comprehensive Development Ordinance* regarding building height, roof dormers and eaves. Information related to this item is included in the agenda packet on pages 4-8.

Staff Recommendation: Approve the Municipal Bylaw Amendment Report and warn for public hearing.

VI. Proposed CDO Amendment: Act 179 Changes

The Planning Commission will discuss a proposed amendment to the Burlington *Comprehensive Development Ordinance* regarding changes based on the Vermont Legislature's 2020 Act 179. Information related to this item is included in the agenda packet on pages 9-13.

Staff Recommendation: Approve the Municipal Bylaw Amendment Report and warn for public hearing.

VII. Proposed CDO Amendment: Article 14 Updates

Staff will present a series of proposed amendments to Article 14 of the Burlington *Comprehensive Development Ordinance* which have been collected since the form code was first adopted in 2017. Information related to this item is included in the agenda packet on pages 14-33.

Staff Recommendation: Ask questions and provide feedback to staff on the proposed amendments for further discussion at a future meeting.

VIII. Commissioner Items

- Upcoming Meetings:** May 11 and 25, 2021 at 6:30pm (anticipated on Zoom)
- Reminder:** Deadline for Commissioner applications is May 14 at 4:30pm. Visit:

<https://www.burlingtonvt.gov/CityCouncil/Public-Boards/Vacancies>

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

IX. Minutes & Communications

- a. The minutes of the April 11, 2021 meeting are enclosed in the agenda packet on p. 34.
- b. Communications are enclosed in the agenda packet beginning on p. 37, with additional communications posted online at <https://www.burlingtonvt.gov/CityPlan/PC/Agendas>

X. 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: Planning Commission

FROM: David E White, FAICP, Dir. of Planning
Scott Gustin, AICP, DPI Principal Planner & Zoning Division Manager
Mary O'Neil, AICP, DPI Principal Planner

DATE: April 21, 2021

RE: Proposed CDO Amendment: Height Measurement, Dormers & Eaves (will be ZA-21-07)

Overview & Background

This amendment addresses two areas within the Comprehensive Development Ordinance that relate to how a building's height is measured as follows:

Height Measurement:

This amendment seeks to improve the connection between existing sections of the Comprehensive Development Ordinance pertaining to how building height is measured:

- Sec. 5.2.6 (a) 1 A & B note two starting points for measuring a building's height – from the sidewalk or from the average finished grade around the entire building, depending on the distance from the sidewalk.
- Sec. 5.2.6 (a) 3 specifies increments for building height measurement along the street façade.

The relationship between Sec. 5.2.6 (a) 1 A and 3 is clear. A building's height measured from the public sidewalk is done in increments to account for changes in grade along the street façade. The relationship between Sec. 5.2.6 (a) 1 B and 3 however is not clear. How does the requirement for height measurement intervals along the street façade(s) relate to the average finished grade around the entire building? This amendment seeks to clarify this relationship. The end result clarifies that measurement of building height is done in increments along the street façade(s) in any case.

The Committee met and discussed this issue on 2/4 and 3/4, and unanimously recommended forwarding the staff recommendation to the full Planning Commission.

Dormers & Eaves:

The Comprehensive Development Ordinance offers no guidance on how the measurement of a building's height may be impacted when dormers are proposed. Dormers are a common building element that enable greater useable living space in an attic, and at times, can stretch or exceed height limits. This amendment seeks to articulate under what circumstances roof dormers actually affect building height and how. It also introduces a basic design standard and new definition of the term.

A related matter as to roof form is the term "eave" which lacks definition in the CDO. Eaves are allowed to project into setbacks. Lacking definition of the term, there have been proposals to stretch the concept of what an eave is in order to take advantage of the allowable setback encroachment. This amendment seeks to define the term "eave."

The Planning Commission Ordinance Committee discussed changes to address dormers and eaves separately, but the matters have been combined into one amendment given that they are both related to roof forms. The Committee addressed dormers January 7 and February 4, 2021 and

recommended forwarding the amendment to the full Planning Commission for consideration. The Committee discussed the eave matter at their March 7 and April 4, 2019 meetings and recommended forwarding the amendment to the full Planning Commission for consideration.

Proposed Amendment

Amendment Type

Text Amendment	Map Amendment	Text & Map Amendment
----------------	---------------	----------------------

Purpose Statement

The purpose of this amendment is to clarify that building height is measured in increments along the street façade, regardless of whether the building height is measured just from the public sidewalk or from the average finished grade around the entire building. Further, the proposed amendment identifies when and how roof dormers affect building height measurement, provides a design standard for dormers, and defines the terms "dormer" and "eave."

Proposed Amendments

Deleted language is ~~crossed out~~ and new language is underlined in red.

[Begin text amendment]

Article 5: Citywide General Regulations

Sec. 5.2.6 Building Height Limits

No structure shall exceed thirty-five (35) feet in height unless otherwise authorized under the district-specific provisions of Article 4:

(a) Height Measurement:

The maximum height of any building shall be measured as follows:

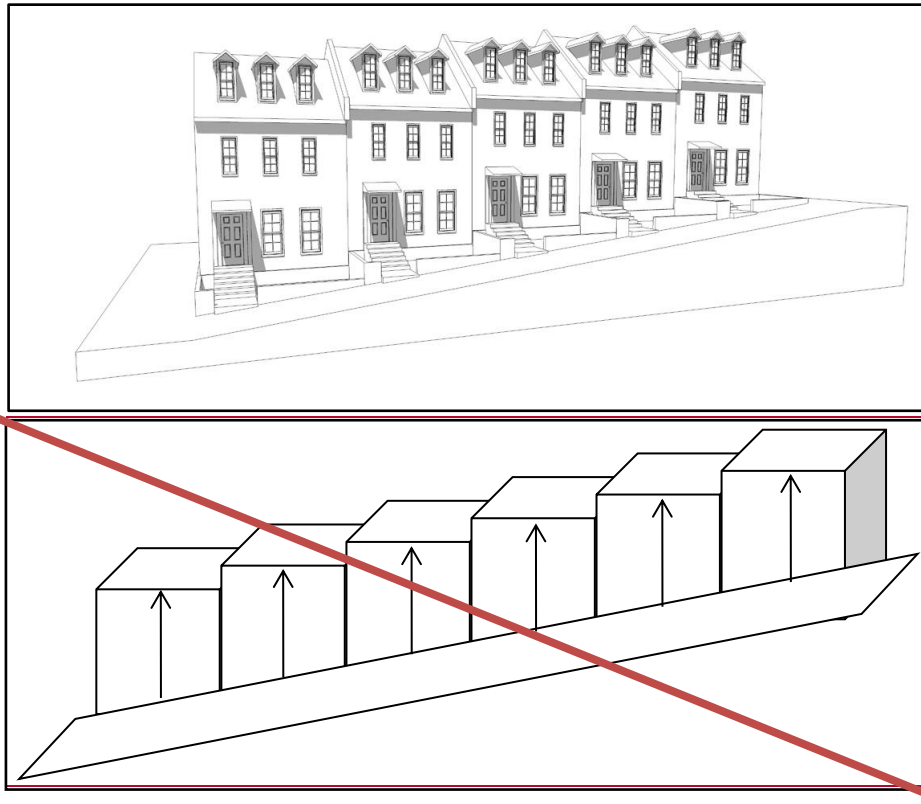
1. Starting Point: Building height shall be measured from:
 - A. a public sidewalk, alley, or other public way or space where the proposed building's street-facing façade is within a 1050-foot horizontal distance of the lot's street frontage of an exterior wall on the front of the building; or,
 - B. the average finished grade within a 10-foot horizontal distance of the building's street-facing façade where the proposed building is more than a 50-foot horizontal distance from the lot's street frontage, all exterior walls of the building. In cases where a property line is within a 10-foot horizontal distance of an exterior wall, the average grade shall be measured between the property line(s).
 - B.C. For buildings on sloped sites, see additional measurement standards in (b) below.
- 1-2. Ending Point: Building height shall be measured to:
 - A. Flat Roof: *As written.*
 - B. Pitched Roof: *As written.*
 - C. Curved Roof: *As written.*
 - D. Roofs with Dormers: Building height will be calculated to the midpoint of the rise of any dormer that exceeds 50% of the width of

the horizontal eave length of the roof. Dormers less than this width do not affect height calculation noted in A – C and E of this subsection.

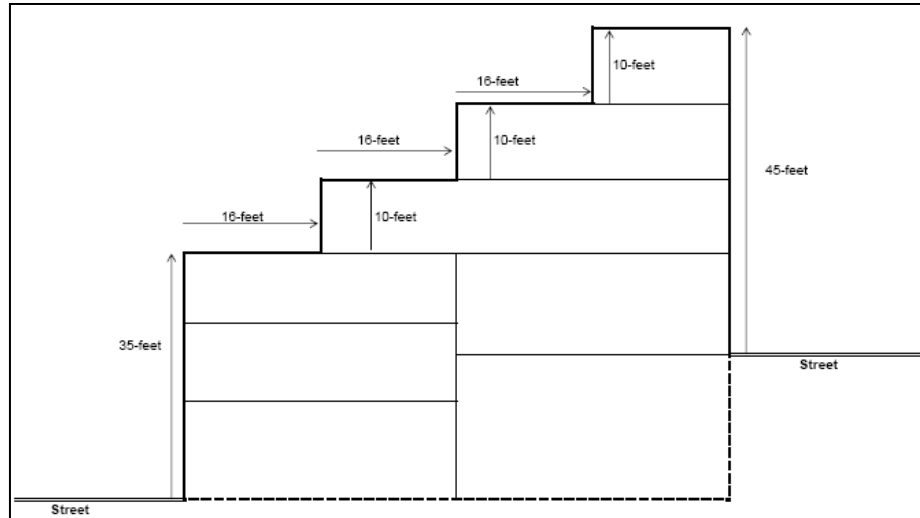
E. Other Roof Forms: As written.

(b) Buildings on Sloped Sites: Buildings on slopes shall reflect the pre-construction topography of the site by making use of opportunities to vary the building's height and roof forms relative to terrain changes as follows:

1. Measurement Interval: ~~To encourage a variation in building heights relative to terrain changes and encourage a variation in roof form, Building height shall be measured along the street-facing façade beginning no less than 16-feet or more than 32-feet from lowest corner, or where two streets intersect if a corner lot, and at an intervals of no less than 32-feet or more than 65-feet for along the entire length of the street-facing façade(s).~~



2. Lots Fronting on Two or More Streets: Where a lot, other than a corner lot, fronts on two or more streets, the building height shall be measured along each street-facing façade. Where the streets are at differing elevations, the building height may gradually increase above the maximum height allowed on the lowest street provided that any such additional height along the lowest street shall be set-back a minimum of 16-feet from the average plane of the building's street-facing façade below for every 10-feet of additional building height up to the maximum height allowed on the highest street.



3. Illustration: To ~~illustrate~~ evaluate the height and bulk of ~~the a proposed building structure in context with its surroundings,~~ the ~~DRB applicant~~ may be required ~~the developer~~ to prepare a scale model, computer visualization, illustrations, or other renderings ~~of the proposed building in context with its surroundings.~~

(cb) Exceptions to Height Limits

(Unchanged)

Article 6: Development Review Standards

Sec. 6.3.2 (a) 2, Roofs and Rooflines

New buildings should incorporate predominant roof forms and pitches within the existing neighborhood and appropriate to the context. Large expanses of undifferentiated roof forms shall be avoided. This can be achieved by incorporating dormers or some variation in the roof form to lessen the impact of the massing against the sky. While flat roofs can be a reasonable architectural solution, pitched roof forms and architectural elements that enhance the city's skyline are strongly encouraged. Roof eaves, parapets, and cornices should be articulated as an architectural detail. Roof-top mechanicals shall be screened from view from the public street, and should be incorporated into and hidden within the roof structure whenever possible.

Dormers shall not exceed the height of the ridgeline of the roof to which they are attached, and are limited in total to 33% of the horizontal eave length of the principal roofline.

Solar panels, light colored ballast or roof membranes, split roof clerestories, planted or "green" roof technologies (with a clearly articulated maintenance plan) and "gray water" collection are encouraged. Active rooftop uses are also encouraged to add to the visual complexity and activity of the city's skyline, and afford public access to otherwise unseen views of the city and surrounding landscape.

Article 13: Definitions

Eave: The edge of the roof which overhangs the face of an exterior building wall and, normally, projects beyond the side of a building; performing the primary function of the roof in throwing water clear of the exterior building walls.

Dormer: A roofed structure, often containing a window that projects vertically beyond the plane of a pitched roof. Dormers are commonly used to increase the usable space in a half story and to create window openings in a roof plane.

Shed dormers have a single, inclined roof.



Dog house dormers are gable roofed, typically with a single window.



All other definitions, as written.

[End text amendment]

Relationship to planBTV

This following discussion of conformance with the goals and policies of planBTV is prepared in accordance with the provisions of 24 V.S.A. §4441(c).

Theme	Dynamic	Distinctive	Inclusive	Connected
Land Use	Conserve	Sustain		Grow

Compatibility with Proposed Future Land Use & Density

The proposed amendment does not impact the types or density of potential land use and density.

Impact on Safe & Affordable Housing

The proposed amendment has no impact on housing safety and affordability.

Planned Community Facilities

The proposed amendment has no impact on planned community facilities.

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, PC OC review 2/4 & 3/4/21	Presentation to & discussion by Commission 4/27/21	Approve for Public Hearing	Public Hearing	Approved & forwarded to Council
				Continue discussion
City Council Process				
First Read & Referral to Ordinance Cmte	Ordinance Cmte discussion	Ordinance Cmte recommend as modified	Second Read & Public Hearing	CCOC Recommends Approval & Adoption
				Rejected



City of Burlington, VT
149 Church Street, 3rd Floor
Burlington, VT 05401

www.burlingtonvt.gov/plan

TO: Planning Commission
FROM: David E White, FAICP, Dir. of Planning
Scott Gustin, AICP, DPI Principal Planner & Zoning Division Manager
DATE: April 21, 2021
RE: Proposed CDO Amendment: Act 179 Changes to Ch. 117 (will be ZA-21-08)

Overview & Background

The Vermont legislature passed Act 179 (S.237) in September 2020, and the bill was signed into law on October 12, 2020. Among other things, this act included multiple changes to state enabling law (24 VSA Ch 117) intended to promote greater access to affordable housing. Specifically relevant to Burlington are 3 changes that require amendment to the *Comprehensive Development Ordinance (CDO)* in order to conform with these changes in state statute. These are:

- amending the definition and some requirements for accessory dwelling units
- requiring that certain "small lots" must be unable to connect to municipal water and sewer in order for a municipality to prohibit development on it
- prohibiting a municipality from denying dwellings of four or fewer units in districts that allow multi-unit dwellings based solely on the character of the area when conducting a conditional use review

The Planning Commission discussed each of these issues on Feb 23, 2021, and supported recommended staff changes applicable to sections of the *CDO* relative to Accessory Dwelling Units and Existing Small Lots. The Commission referred the issue of conditional use review for small multi-unit buildings to its Ordinance Committee for additional discussion.

The Commission's Ordinance Committee discussed the provisions related to conditional use review of multi-unit buildings between two and four units on March 4, 2021. Staff presented 4 possible approaches, with an overall recommendation which centered on removing conditional use review for all residential uses across the city. The staff recommendation that conditional use is not appropriate for residential uses located within a residential district is based on a number of factors, including:

- residential uses permitted or prohibited within each district should be more consistent with the purpose statement of the zoning districts involved (i.e. allowing duplexes as a permitted use in RL)
- there is regulatory redundancy between Conditional Use Review and Major Impact Review for multi-unit housing; ultimately Major Impact Review is more appropriate for considering changes in residential intensity
- Appendix A currently creates confusion between regulating use vs. regulating building type (ie. "Attached Dwelling(s) – Mixed-Use" is a building type, not a use).

The Ordinance Committee unanimously recommended forwarding the staff recommendation to the full Planning Commission for consideration.

Proposed Amendment

Amendment Type

Text Amendment	Map Amendment	Text & Map Amendment
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Purpose Statement

The proposed amendment addresses recent changes to the state enabling statute, ensuring that the CDO complies with new standards for ADUs, existing small lots, and small multi-unit dwellings.

Proposed Amendments

The following amendments to the Burlington CDO are included in this proposal:

1. Amend Sec. 5.2.1 Existing Small Lots

This affords additional provisions for the development of existing Small Lots, when those lots can connect to municipal water and sewer infrastructure.

2. Amend Sec. 5.4.5 Accessory Dwelling Units and Sec. 13.1.2 Definitions

This removes bedroom and occupant limits from ADU standards and definitions, and increases the alternative maximum size for ADUs to 900 sq.ft.

3. Amend Appendix A- Use Table

Changes duplex from a Conditional to Permitted use within the RL and RL-W districts; deletes "Attached Dwellings-Mixed Use" and distinguishes between multi-family dwellings of 3-4 units and those with 5 or more units; and changes multi-family dwellings of 3-4 units from a Conditional to a Permitted use in the Institutional district.

[Begin text amendments]

Note: Deleted language is ~~crossed out~~ and new language is underlined in red.

Sec. 5.2.1 Existing Small Lots

Any small lot of record existing as of April 26, 1973 may be developed for the purposes permitted in the district in which it is located even though not conforming to minimum lot size requirements if the lot:

- can be served by municipal water and sewer service; and;
- such the lot is not less than at least four thousand (4,000) square feet in area; with or and,
- the lot has a minimum width and depth dimension of forty (40) feet or more, and
- the lot can connect to municipal water and sewer infrastructure.

A permit for Any such development shall require a permit certificate of appropriateness pursuant to the standards of Article 4 and, where design review is applicable, design review provisions of Article 3 and the development standards of Article 6.

Sec. 5.4.5 Accessory Dwelling Units

(a) Accessory Units, General Standards/Permitted Uses:

Where there is a principal structure on a lot which exists as an owner-occupied single family residence, one accessory dwelling unit, that is located within or appurtenant to

such single family dwelling, shall be allowed as a permitted use if the provisions of this subsection are met. An accessory dwelling unit means ~~a an efficiency or one bedroom apartment~~ dwelling unit that is clearly subordinate to the principal dwelling, and has facilities and provisions for independent living, including sleeping, food preparation, and sanitation. ~~No accessory unit shall be inhabited by more than 2 adult occupants.~~ An accessory unit shall not be counted as a dwelling unit for the purposes of density calculation. Additionally, there must be compliance with all the following:

1. The property has sufficient wastewater capacity as certified by the Department of Public Works; and,
2. The unit does not consist of more than ~~800~~ 900 sq.ft., or 30 percent (30%) of the Gross Floor Area of the principal home, whichever is greater; and,
3. Applicable setback and coverage requirements are met, except as provided for in Sec. 5.2.3 (b) 10; and,
4. A deed or instrument for the property shall be entered into the land records by the owner containing a reference to the permit granting the accessory unit prior to the issuance of the certificate of occupancy for the unit. Such reference shall identify the permit number and note that the property is subject to the permit and its terms and conditions including owner occupancy. No certificate of occupancy shall be issued for the unit unless the owner has recorded such a notice.

Sec. 13.1.2 Definitions.

Accessory Dwelling Unit or Apartment: ~~An efficiency or one bedroom apartment~~ A dwelling unit that is clearly subordinate to a single-family dwelling, and has facilities and provisions for independent living, including sleeping, food preparation, and sanitation.

Appendix A – Use Table

See attached.

End text amendments

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 amendments, while necessary to maintain compliance with state enabling statutes, are consistent with the land uses and densities proposed in *planBTV*. These changes do not significantly change the overall land uses and densities permitted in residential areas of the city, but is in line with the plan's future land use vision, which anticipates small and incremental changes to residential areas within the context of existing development patterns.

Impact on Safe & Affordable Housing

The proposed amendments have no impact on housing safety, and may serve to improve affordability by reducing the time, cost, and complexity for small multi-family residential development.

Planned Community Facilities

The proposed amendment has no impact on planned community facilities.

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, PC OC review 3/4/21	Presentation to & discussion by Commission 2/23/21, 4/27/21	Approve for Public Hearing	Public Hearing	Approved & forwarded to Council
				Continue discussion
City Council Process				
First Read & Referral to Ordinance Cmte	Ordinance Cmte discussion	Ordinance Cmte recommend as modified	Second Read & Public Hearing	CCOC Recommends Approval & Adoption
				Rejected

Appendix A-Use Table – All Zoning Districts – PCOC Draft 03/04/2021

	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
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 CU ²	Y	Y	N	Y ³	N	Y	N	N	N
Attached Dwellings - Multi-Family (3 or more)	N	N ¹	N	N	CU Y	N	Y	Y	N	Y	Y	Y	Y	N	N
Attached Dwelling(s) – Mixed Use ²⁶	N	N¹	N	N	CU	CU	CU	CU	N	Y	Y	Y	Y	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.

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

www.burlingtonvt.gov/plan

TO: Planning Commission
FROM: David E White, FAICP, Dir. of Planning
DATE: April 21, 2021
RE: Proposed CDO Amendment: Updates and Corrections to Article 14 (will be ZA-21-09)

Overview & Background

This amendment makes a collection of corrections and revisions to Article 14 of the *Burlington Comprehensive Development Ordinance* (BCDO) – the planBTV: Form Based Code - based on the past 36+ months of real-world application to improve its consistent use and effective applicability. This has been a collective effort of the Permitting and Inspections team and some applicants working with Planning to collect problems, questions, and challenges confronted in its application to real-world projects since adoption in the fall of 2017.

Proposed Amendment

Amendment Type

Text Amendment	Map Amendment	Text & Map Amendment
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Purpose Statement

The purpose of this amendment is to revise Article 14 of the *Burlington Comprehensive Development Ordinance* (BCDO) based on the past 36+ months of real-world application to include a number of corrections and updates to improve its consistent use and effective applicability including:

- Consistent use of terms and concepts regarding things like allowed encroachments into setbacks, location of parking, glazing, and voids.
- Makes clear the the exemption for work being proposed for a public right-of-way or thoroughfare, and instead directs compliance with *Great Streets BTV: Downtown Street Standards*, and approval by the Dept. of Public Works.
- Adds new definitions including those for Awnings, Balconies, Canopies, Decks
- Revises rear yard setback in FD5 to be consistent with previous Downtown-Transtion District requirement
- Adds a new Civic Space Type for "Water-Dependent" sites to better incorporate current and potential use of Perkins Pier
- Revise Map 3 – Shopfronts Required to include the new segments of Pine and St. Paul streets
- Revises Urban Design Standards regarding Primary Materials, Balconies and Decks, and Awnings and Canopies to improve their practical application

- Consolidates standards regarding Fences into a single location for ease of use, and adds maximum height and expands material standards
- Clarifies how the requirements and standards apply to existing and non-conforming structures.
- Expands authority for Administrative Relief for minor variations from numerical standards.
- Removes references to "Planning and Zoning" department and "Director." and replaces them with "Permitting and Inspections" dept and "Administrative Officer" as appropriate

Proposed Amendments

Deleted language is ~~crossed out~~ and new language is underlined in red.

[Begin text amendment]

See attached

[End text amendment]

Relationship to planBTV

This following discussion of conformance with the goals and policies of planBTV is prepared in accordance with the provisions of 24 V.S.A. §4441(c).

Theme:	Dynamic	Distinctive	Inclusive	Connected
Land Use:	Conserve	Sustain		Grow

Compatibility with Proposed Future Land Use & Density

The proposed amendment does not impact the types or density of potential land use and density.

Impact on Safe & Affordable Housing

The proposed amendment has no impact on housing safety and affordability.

Planned Community Facilities

The proposed amendment has no impact on planned community facilities.

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 4/7/21	Presentation to & discussion by Commission 4/27/21	Approve for Public Hearing	Public Hearing	Approved & forwarded to Council
				Continue discussion
City Council Process				
First Read & Referral to Ordinance Cmte	Ordinance Cmte discussion	Ordinance Cmte recommendation	Second Read & Public Hearing	Approval & Adoption
				Rejected

Burlington Comprehensive Development Ordinance

PROPOSED: ZA-21-XX – planBTV Downtown Code Update

As prepared by the City Planning Office – April 21, 2021.

Changes shown (underline to be added, strike-out to be deleted) are proposed changes to the Burlington Comprehensive Development Ordinance.

Purpose: This amendment is to revise Article 14 of the BCDO to include a number of corrections and updates to improve its use and applicability.

Sec. 14.1.1-14.1.2 – unchanged

Sec. 14.1.3 -Applicability

This planBTV Downtown Code shall be applicable to all lands outside of the public rights-of-way or a Thoroughfare within the Downtown and Waterfront District as mapped or described on the Burlington Regulating Plan (Section 14.2), as such may be changed from time to time, pursuant to Section 14.2 - Regulating Plan. Any and all subdivision of land, development, and construction or modification of all Improvements, land, Buildings, and Structures in the Downtown and Waterfront District shall occur only in accordance with this Article 14 planBTV Downtown Code as in effect on the date of acceptance of the completed application for approval of the applicable Project Plan submitted pursuant to Section 14.7 Administration and Procedures.

Improvement, development, construction or modification within an existing or proposed public right-of-way or a Thoroughfare shall be made in accordance with Great Streets BTV: Downtown Street Standards, and require approval by the Dept. of Public Works.

To the extent applicable, and not otherwise in conflict with this Article 14-planBTV Downtown Code, the following sections of the Burlington Comprehensive Development Ordinance (CDO) shall also continue to apply:

- a) Article 1 - General Provisions
- b) Article 2 - Administrative Mechanisms;
- c) Article 3 - Applications, Permits and Project Reviews, Parts, 1, 2, 3, 5 and 6;
- d) Article 4 - Zoning Maps and Districts, Parts 1, 2, 3, and Part 5 Sec. 4.5.4;

- e) Article 5 - Citywide General Regulations, Parts 1 ~~and~~, 2, Part 3, Secs 5.3.1-5.3.4 and Secs 5.3.1-5.3.8, Part 4, Sec. 5.4.7 and, Sec. 5.4.8, and, Part 5;
- f) Article 7 - Signs
- g) Article 8 - Parking
- ~~g)~~h) Article 9 - Inclusionary and Replacement Housing;
- ~~h)~~i) Article 10 - Subdivision Review;
- ~~i)~~j) Article 12 - Variances and Appeals; and,
- ~~j)~~k) Article 13 - Definitions.

In each case, the standards and requirements applicable to the Downtown and Waterfront District Regulating Plan and this Article 14 shall take precedence without limitation over any duplicative or conflicting provisions of the other Articles of the Burlington Comprehensive Development Ordinance (BCDO).

If there is any conflict between the provisions of this Article 14 and any provisions of any other existing City codes, ordinances, regulations or standards (the "Existing Local Codes"), the provisions of this Article 14 shall take precedence over such conflicting provisions except for City and state Building, Fire, Health and Safety Codes.

The graphics, illustrations, photographs, tables, and metrics are an integral part of the planBTV Downtown Code; however:

- a) Photographs are provided only as general illustrative examples and are not binding;
- b) The illustrations of Table 14.3-A Burlington Form Districts Summary Table, Table 14.3.6-A Civic Space Types Summary Table, Table 14.4-A Building Types Summary Table, and Table 14.5-A Frontage Types Summary Table are provided only as general illustrative descriptions and are not binding;
- c) The diagrams, photographs, and illustrations contained in Sections 14.3.4 through 14.3.6 (Specific to Form Districts), Sections 14.4.4 through 14.4.13 (Specific to Building Types), and Sections 14.5.4 through 14.5.17 (Specific to Frontage Types) are provided only to indicate the general character of the various Form Districts and elements. References to metrics shown thereon however shall have regulatory effect.
- d) The graphics, illustrations, and photographs in Section 14.8 Glossary are provided for illustrative purposes only and are not binding;
- e) ~~h)~~ The graphical depictions of the Form Districts on the various Tables are provided for ease of reference only and are not binding. The Form District designations and standards applicable to each Form District are binding.

Where in conflict, metrics represented in text and/or tables shall take precedence over metrics represented graphically, and a more specific standard shall take precedence over a more general standard.

Sec 14.2.6 - Special Requirements

Map 3 - Shopfronts Required

Sec. 14.3.4 FD6 Downtown Core

14.3.4-C- Lot Occupation & Building Placement

Frontage Buildout & Building Setback

Rear Setback:

- | | |
|-----------------------|---|
| - Principal Buildings | 0-ft min. or 15-ft from a rear <u>public</u> Alley centerline |
| - Outbuildings | 0-ft min. or 15-ft from a rear <u>public</u> Alley centerline |

Table 14.3.4-E- Parking, Loading & Service

On-Site Parking

On-site parking shall be provided per the requirements of Sec. 14.6.7.

Location on the Lot

All parking provided within a Principal Building Type (other than a Perimeter Building) shall be located Underground, above the second Story, and/or at-grade within the first Story where located in the Third Lot layer and separated from the street by an Active Street-level Use.

~~Parking Lots are not permitted, and Parking Areas shall be located in the Third Lot Layer.~~

~~Unless located within a Principal Building below the finished grade or above the second Story,~~

~~a~~ All Parking Structures, and Garages, and Parking Areas shall be located in the Third Lot Layer behind a Principal Building Type Perimeter Building (see Sec. 14.4.11 and Sec. 14.6.3).

Parking Lots are not permitted

Miscellaneous

See also Sec. 14.6.7 for additional requirements pertaining to parking and site design.

14.3.4-F- Encroachments –into

Required Setbacks

Encroachment Type	Front	Rear
Frontage Type Elements ¹	Permitted	Permitted
Awnings and Canopies ²	Permitted	Not permitted
Signs ³	Permitted	Not permitted
<u>Balcony and Decks</u>		<u>4-ft max.</u> <u>encroachment</u>
Other Architectural Features ⁴	<u>4-ft max.</u>	4-ft max. <u>encroachment</u>
Landscaping	Permitted	Permitted
Fences or freestanding walls	Not permitted	6-ft max. height
Driveways, Walkways	Permitted	Permitted
Utility Structures	Not permitted	Permitted

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14.3.4-G- Encroachments - Public right-of-way

³ Building eaves, roof overhangs, solar shades, and light shelves; bay windows, oriels, and vestibules that are less than ten feet wide; and, cornices, belt courses, window sills, buttresses, or other similar architectural features may encroach into the ROW provided they are a minimum of 10-ft above the Sidewalk.

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86 Sec. 14.3.5 FD5 Downtown Center

14.3.5-C- Lot Occupation & Building Placement

Frontage Buildout & Building Setback

Rear Setback:

- | | |
|---------------------|---|
| Principal Buildings | - <u>03</u> -ft min. or 15-ft from rear <u>public</u> Alley centerline
- 10-ft min. along a Form District boundary shared with a residential district. |
| Outbuildings | - <u>03</u> -ft min. or 15-ft from rear <u>public</u> Alley centerline |

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Table 14.3.5-E- Parking, Loading & Service

On-Site Parking

On-site parking shall be provided per the requirements of [Sec. 14.6.7](#).

Location on the Lot

All parking provided within a Principal Building (other than a Perimeter Building Type) shall be located: Underground, above the second Story, and/or at-grade within the first Story where located in the Third Lot layer and separated from the street by an Active Street-level Use.

~~Parking Lots are not permitted, and Parking Areas shall be located in the Third Lot Layer.~~

~~Unless located within a Principal Building below the finished grade or above the second Story, All~~

~~Parking Structures, Garages and Garages-Parking Areas shall be located in the Third Lot Layer behind a Principal Perimeter Building (see Sec. 14.6.3 and Sec. 14.4.11) Type.~~

Parking Lots are not permitted

Miscellaneous

See also [Sec. 14.6.7](#) for additional requirements pertaining to parking and site design.

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14.3.5-F- Encroachments into Required Setbacks

Encroachment Type	Front	Rear
Frontage Type Elements ¹	Permitted	Permitted
Awnings and Canopies ²	Permitted	Not permitted
Signs ³	Permitted	Not permitted
<u>Balcony and Decks</u>		<u>4-ft max. encroachment</u>
Other Architectural Features ⁴	<u>4-ft max.</u>	<u>4-ft max. encroachment</u>
Landscaping	Permitted	Permitted
Fences or freestanding walls	Not permitted	6-ft max. height
Driveways, Walkways	Permitted	Permitted
Utility Structures	Not permitted	Permitted

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14.3.5-G- Encroachments - Public right-of-way

³ Building eaves, roof overhangs, solar shades, and light shelves; bay windows, oriels, and vestibules that are less than ten feet wide; and, cornices, belt courses, window sills, buttresses, or other similar architectural features may encroach into the ROW provided they are a minimum of 10-ft above the Sidewalk.

Sec. 14.3.6-I Water-Dependent

Intent

An Open Space associated with water-dependent recreation and related facilities.

Specifications

Form District

FD5

Size

No size limits

Frontage

Independent

Character

Informal

Coverage¹

80% max.

Buildings and Structures¹

1,500 sqft max in aggregate

Setback for Buildings and Structures

50-feet from the mean high water mark of Lake Champlain (100-feet above mean sea level) unless encroachment is required for the operation of a water-dependent use or facility.

Features such as walkways, planters, benches, fountains, public art, sitting walls and other improvements to enhance the pedestrian environment and enjoyment of the waterfront may encroach into this required setback provided public access to the water's edge and pedestrian circulation is not unreasonably impaired.

¹ Not inclusive of any associated Civic Buildings.

Typical Facilities

- Water-oriented facilities and services such as docks, marinas, boat ramps and lifts, boat fueling and pump-out, restrooms, marina office and chandlery, and facilities for commercial vessels.
- Civic, recreational, and community facilities
- Playgrounds and play Structures
- Passive recreation, paths, and trails
- Buildings and Structures necessary to support water-oriented facilities and services
- Commercial concessions

Parking

On-site parking is not required, and may not occupy more than 60% of the gross site area.

Sec. 14.4.13 - Urban Design Standards

a) - *unchanged*

b) **Windows & Doors:**

iii. Principal Entrances shall be defined and articulated by architectural elements such as lintels, pediments, pilasters, columns, canopies, awnings, transoms, sidelights, or other design elements appropriate to the architectural style and details of the Building as a whole. Bays including a Principal Entrance should be expressed vertically, and may continue onto the upper stories. Such bays are not required to include additional horizontal expression or upper story step-backs as required in c) below.

iv. Where provided:

A-D - unchanged

~~E. Shading devices designed and intended to control light entering the Building may project no more than 5 feet from the Facade, shall be consistent in materials, color, and design across the same Facade, and shall be placed, sized, shaped, and proportioned to match the associated openings.~~

c) **Façade Articulation and Upperstory Stepbacks:**

iii. Building Facades shall be horizontally articulated as follows:

C. The top story (other than a penthouse setback at least 10-feet from the primary plane of the Façade below) must have a cornice, parapet, pitched or shaped roof form and/or other equivalent architectural feature involving a projection from the average plane of the Façade of the story below by at least 12-inches to serve as an expression of the Buildings top.

iv. The upper stories of any Building exceeding 6 stories in height shall step-back as follows:

A. An upper story step-back of at least 10-feet from the primary plane of the Façade below shall occur above either the 2nd 3rd, 4th, or 5th story, with the resulting Building base ~~seeking to maintain~~ing a consistent height of at least 50-feet along Main and Battery streets, and at least 33-feet on all other downtown streets, in order to frame and define the public realm.

d) **Building Materials:**

i. Primary Materials: Not less than 80 percent of each street-facing Façade (not inclusive of voids) shall be constructed of one or more primary materials comprised of tested and proven, high quality, durable, and natural products. For Facades over 100 square feet, more than one Primary Material shall be used. Changes between Primary Materials must occur only at inside corners. The following are considered acceptable Primary Materials:

A. Brick and tile masonry;

B. Native or sintered stone;

C- E - *unchanged*

ii-iii - *unchanged*

~~iv. Fences: Fence materials shall not include barbed or razor wire. Chain link and wire fencing shall not be used along any Frontage Line, however, woven cable fencing is permitted.~~

iv. Roof Materials (not applicable to flat roofs). Acceptable roof materials include 300 pound or better, dimensional asphalt composite shingles, wood shingles and shakes, metal tiles or standing seam, slate, and ceramic tile. To the extent possible, all roof materials and colors should be selected to minimize solar reflectance.

vi. Alternate Materials: Alternate materials, including high quality synthetic materials, may be approved by the ~~Planning Director~~Administrative Officer after seeking input from the Design Advisory Board. New materials must be considered equivalent or better than the materials listed above and must demonstrate successful, high quality local installations. Regionally-available materials are preferred.

vii. Other: - *unchanged*

e). Walls:

- i. Unfinished (ie. not clad or constructed in a Primary or Secondary Material per d) above)
foundation walls on a Principal Building shall be exposed no more than 48-inches above the
finished grade. Surface-applied waterproofing on any foundation wall shall not be visible.

ii-vi – unchanged

f). Roofs: – *unchanged*g) Balconies and Decks: Where provided, all Balconies and Decks shall meet the following specifications:

- i. Balconies must be at least 4-feet deep (A) and 5-feet wide, and shall not project more than 8-feet from the plane of the Façade or Elevation to which it is attached.
- ii. Balconies shall be cantilevered or visibly supported by brackets or beams sized, shaped and proportioned to match the associated ~~b~~Balcony. Columns or posts extending to the ground within the public right-of-way are prohibited ~~on a Façade, except in the case of a Gallery Frontage Type.~~
- iii. Balconies shall provide 8-feet minimum clear height above the finished grade, or 13-feet 6-inches minimum clear height above the finished grade above any area used for vehicular parking or circulation, or emergency vehicle access.
- ~~iv.~~ The ~~b~~Balcony platform shall be at least 3-inches thick, and where the underside of a balcony is visible from a public way it shall be finished. Balconies may ~~or may not~~ incorporate a ~~roof~~, Canopy or Awning, but shall not be enclosed.
- v. Decks shall be permitted only in the Third Lot Layer or on rooftops.
- vi. Decks may include a Canopy, Awning or free-standing pergola, but shall not be enclosed.

h) **Awning and Canopies:** Awnings and eCanopies are encouraged as a traditional street-level store-front fitting to accent and provide shade and/or shelter over a primary entrance, display windows, or outdoor seating. Awnings and Canopies may also be found above upper story windows and Balconies, and over secondary entrances. Where provided, ~~such all~~ Awnings and Canopies ~~placed on a Façade~~ shall meet the following specifications:

- i. Awnings and eCanopies shall provide 8-feet minimum clear height above the finished grade ~~(A)~~, and ~~shall project a minimum of 6 feet from the Façade (B) to a maximum of 2 feet from the curb (C)~~. 13-feet 6-inches minimum clear height above the finished grade shall be provided above any area used for vehicular parking or circulation, or emergency vehicle access (A).

- 185 ii. First floor Awnings and Canopies shall project a minimum of 3-feet from the Façade (B)
186 or Elevation to which it is attached to a maximum of 2-feet from the curb (C). Awnings
187 and Canopies on upper story windows may project no more than 5-feet from the Facade.
188 Awnings that cannot project a minimum of 3-feet due to the small size of the opening,
189 shall project a minimum of 50% of the height of the opening (e.g. a window that is 4-ft tall
190 shall project at least 2-ft).
- 191 ~~ii.~~iii. Awnings and Canopies shall be placed, sized, shaped, and proportioned to match the
192 associated openings or width of the associated Frontage, and shall be consistent in
193 materials, color, and design across the same Façade, Frontage Type, or architectural
194 bay.
- 195 ~~iii.~~iv. Awnings and Canopies that span across an entire Façade-Frontage shall be fixed no
196 higher than the top of the first story.
- 197 ~~iv. All awnings and canopies used within an individual Frontage Type shall be consistent in~~
198 ~~materials, color, and design.~~
- 199 v. Awnings and Canopies shall not be internally illuminated or backlit, however they may
200 contain lighting fixtures intended to illuminate the ground beneath when covering a
201 Building entrance.
- 202 ~~v.~~vi. Awnings and Canopies may incorporate signage pursuant to the requirements of Article
203 7.
- 204 ~~vi.~~vii. Awnings shall have an internal or external structural framework of steel/aluminum or
205 other appropriate, durable structural material supporting a thin, non-translucent covering
206 material with a matte finish such as painted metal, acrylic, canvas, or synthetic fabric.
207 The Awnings design should shall not include a soffit, and c or side panels. Retractable
208 awnings are encouraged. Columns or posts extending to the ground are prohibited within
209 the public right-of-way. Retractable Awnings are encouraged.
- 210 ~~vii.~~viii. Awnings shall be are typically rectangular in elevation and triangular in cross-section, with
211 shall have straight edges with no arcs or curves, and may be pitched to shed water off to
212 the side when placed over a Building entrance. The valance of the an Aawning shall be
213 no more than 12-inches in height (D).
- 214 ix. Canopies are typically rectangular in both elevation and in cross-section, shall have
215 straight edges with no arcs or curves, and may be pitched enough to shed water off to
216 the side when placed over a Building entrance. The faces of the Canopy shall be no more
217 than 24-in in height (D).
- 218 x. Canopies shall be constructed of steel/aluminum or other appropriate, durable structural
219 material, and The canopy may be clad in metal panel, wood, or other durable finished
220 material.

viii.xi. The eCanopy design shall may include a flat roof be or be left open to from above without a roof using louvers or slats instead to provide shade, and the exterior faces of the canopy should be no more than 24-in in height (D).

ix.xii. Canopies projecting into the public right-of-way shall be cantilevered or supported from above, and C columns or posts extending to the ground are prohibited. Canopies placed outside of the public right-of-way may be partially or fully free-standing.

i). **Other:**

- i. Upper-story open exterior fire stairs shall be located in the Third Lot Layer. They may be located in the Second Lot Layer provided they are enclosed and incorporated and designed in a manner consistent with the overall architectural design of the Building.
- ii. Permanent vertical access features (stairs, ramps, etc.) ~~handicapped access ramps~~ located in the First Lot Layer must be integrated into the design of the chosen Frontage Type. Otherwise they must be located in the Second or Third Lot Layer.
- iii. All utility service connections shall be underground for new construction.
- iv. The footprint area of an Outbuilding may not exceed the footprint area of the Principal Building.

(photo caption) - An example of a ~~handicapped~~ vertical access ramp integrated into a Building Frontage.

Sec 14.5.15- Courtyard Frontage Type

14.5.8-C - Standards

Courtyard - 12-ft min.

Width - lessor of 1/3 the total Building width or 35-ft max

Courtyard 12-ft min.- 35-ft max

Depth

Canopy/Awn 10-ft from Façade max

ing

Projection

Clear Path of Travel to a Principal Entrance

14.5.8-D - Miscellaneous

A maximum of one Courtyard is permitted per Principal Building.

A Courtyard shall remain open to the sky, and may not contain Driveways, parking, loading or service areas, or mechanical equipment or vents.

A Courtyard may include a free-standing Canopy, Awning, umbrellas or pergola, but they shall not be enclosed.

The Courtyard shall be activated as a space for gathering, circulation, outdoor shopping, and/or restaurant seating.

The proportions and orientation of ~~these spaces~~ a Courtyard should be carefully considered for solar orientation and user comfort.

A Courtyard is considered as part of the Building for the purpose of measuring the Frontage Buildout. All faces of the recessed Courtyard shall be considered to be part of the Façade.

Sec 14.5.15- Forecourt Frontage Type

14.5.15-D - Miscellaneous

A Forecourt occupies the First Lot Layer, and may extend the depth of a maximum required front yard setback to an amount equal to the maximum depth permitted in Sec. 14.5.15-C.

A Forecourt shall remain open to the sky, and may not contain Driveways, parking, loading or service areas, or mechanical equipment or vents.

A Forecourt may include a free-standing Canopy, Awning, umbrellas or pergola, but they shall not be enclosed.

Hardscape coverage requirement may be achieved through a combination of pervious and impervious surface materials.

Sec. 14.6.4- Building Height

a) thru c) - *unchanged*

d) Basements and Crawl Spaces

- i. Exposed basement walls visible along any Frontage shall not exceed ~~89~~ nine ~~nine~~ eight feet in height measured from the exterior finished grade to the finished floor of the Story above.
- ii. Unfinished crawl spaces taller than 3 (three) feet shall be screened from view from public Thoroughfares with landscaping.
- iii. Unfinished crawl spaces shall not exceed 5 (five) feet in height measured from the exterior finished grade to the finished floor of the Story above.

e) **Grading or Regrading of Sites.** Sites with uneven topography present unique issues in relation to Building height. Buildings on steep slopes shall reflect the pre-construction topography of the site. When a site's topography is modified, the site shall be graded in such a way to avoid the following features:

- i. Retaining walls or unfinished blank walls taller than 4 feet in height along required Principal or Secondary Frontage;
- ii. Retaining walls taller than 8 feet in height along the rear or side setbacks; and
- iii. The construction of Buildings that do not reflect the preconstruction topography of the site. Illustrations below show appropriate site grading methods.

f) - *unchanged*

Sec. 14.6.7- Parking and Circulation

a) thru d) – *unchanged*

e) **Parking Structures and Garages**

- i. With the exception of individual Garages serving a Rowhouse Building Type which shall be located in the Third Lot Layer, all Parking Structures and Garages shall be located: -within a Principal Building Type and located Underground, above the second Story, and/or in the ground floor when located in the Third Lot layer and separated from the street by an Active Street-level Use; or,
- behind a Perimeter Building (See Section 14.4.11), or enclosed below the finished grade or above the second story within a Principal Building that provides active uses (such as, but not limited to, residential lobby, retail, office, recreational, or services) at the street level along the width of the Frontage a minimum of 20 feet deep.

ii-vi – *unchanged*

g) **Parking Spaces, Lot Design and Layout**

i - ii – *unchanged*

iii. Stacked and Tandem Parking. – *otherwise unchanged*

Sec. 14.6.8- Site and Landscape Standards

a) **Purpose and Applicability**- *unchanged*

b) **Site Standards:**

v. Fences and Free-standing Walls:

A. Fences and Free-standing Walls placed within the First Lot Layer shall not exceed 4-feet in height. Fences and Free-standing Walls placed within the Second or Third Lot Layer shall not exceed 8-feet in height unless a different height limit is specified under the applicable Form District or Frontage Type.

B. Materials used for Fences and Free-standing Walls shall be limited to Brick and tile masonry; Native or sintered stone; Wood – panels, clapboard or shingles; Cementitious siding, metal, and woven or braided cable wire. Chain-link and welded-wire fencing shall not be used along any Frontage Line with the exception of the temporary enclosure of a construction site, or where required by the Building Official to protect public safety. Barbed or razor wire shall not be used in any application. Alternate materials may be approved by the Administrative Officer after seeking input from the Design Advisory Board. Alternate materials must be considered equivalent or better than the materials listed above, and must demonstrate successful, high quality local installations. Regionally-available materials are preferred.

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

c) **Landscape Standards:** *otherwise unchanged*

d) **Solid Waste Storage Areas** - *unchanged*

Sec. 14.7 – Administration and Procedures

14.7.1 - Applying for a Zoning Permit: Submission Requirements and Review

a) – *unchanged*

b) Application Submission. Each application shall be submitted to the Department of Planning and Zoning Permitting and Inspections along in a form to be provided by the Department. Upon its determination that an application is complete, the Department shall process each application in accordance with this Section.

c) – *unchanged*

328 **d) Modification of Submission Requirements.** The Administrative Officer ~~Director~~ may allow
329 the modification of the application and submission requirements listed above, including reducing
330 and/or combining existing and proposed information on the same site plan, provided that any
331 modification enables adequate review of the application. The Administrative Officer ~~Director~~ may
332 also require the submission of additional information when deemed necessary to make a decision
333 on the request. Such additional information may include but is not limited to the following:
334 *(remaining unchanged)*

335
336 *e) - unchanged*
337

338 **f) Review and Approval of Civic Spaces and Civic Buildings.**

339 The creation of new Civic Spaces or Civic Buildings, or the Substantial Modification of an existing
340 Civic Space or Civic Building, shall follow the process as defined below. Any other proposed
341 alteration to an existing Civic Space or Civic Building shall be reviewed and approved by the
342 ~~Director~~ Administrative Officer who shall ensure ongoing compliance with the intent and
343 standards of this Chapter as applicable.
344

345 Because of their important civic nature and public use, the design and form of a new or
346 Substantial Modified Civic Space or Civic Building shall be determined after:

- 347 • pre-application review and consultation with the departments of City Planning and Zoning,
348 Permitting and Inspections, Community and Economic Development, and Parks, Recreation,
349 Waterfront;
- 350 • a pre-application Neighborhood Public Meeting pursuant to Sec. 3.2.1 (d) of the BCDO;
351 • review and recommendation of the Design Advisory Board; and,
352 • final review and approval by the Development Review Board.
353
354

355 *Remaining section is unchanged*
356
357

Sec. 14.7.2 - Non-Conformities

In addition to that as specified in Article 5, Part 3 Non-Conformities of the *Burlington Comprehensive Development Ordinance*, any Building, Structure, Frontage, Development, Site, Improvement, or other appurtenance thereto ~~non-conformity~~ which lawfully existed at the time of adoption of the applicable provisions of this ~~or any~~ Article or any amendment thereto may be continued subject to the following provisions:

a) Nothing in these regulations are intended to prevent normal repair and maintenance necessary to keep a Building, Structure, Site, Improvement or other appurtenance thereto in a safe and sound condition;

b) Any Building, Structure, Frontage, Development, Site, ~~sign~~, Improvement, or other appurtenance thereto which legally existed on the effective date of this Article that does not conform to the requirements of this Article may continue until a Substantial Modification is requested or Abandonment occurs;

c) Any nonconforming structure may be enlarged, maintained, repaired or altered; provided, however, that no enlargement, maintenance, repair or alteration shall either create an additional nonconformity or increase the degree of the existing nonconformity of all or any part.

~~a)d)~~ At such time when a Substantial Modification is requested or Abandonment occurs, only the affected portion(s) of the Building, Structure, Frontage, Development, Site, ~~sign~~, Improvement, or other appurtenance thereto shall be required to comply with all applicable provisions of this Article, and to the greatest extent practicable in the determination of the Administrative Officer or unless relief is provided by the DRB pursuant to Sec. 14.7.3 below;

~~b)~~ Any modification other than a Substantial Modification an existing Building, Structure, Frontage, Development, Site, ~~sign~~, Improvement, or other appurtenance thereto shall be permitted By Right only if such changes result in greater conformance with the specifications of this Article;

e) Any change or modification shall not create any new nonconformity; and,

~~d)e)~~ Buildings listed or eligible for listing on the State or National Register of Historic Places shall not be required to make any modifications under ~~a) and b) above~~ this section that would threaten their historic integrity.

14.7.3 - Variation from the Form: Administrative Relief, DRB Alternative Compliance, and Variances

The planBTV Downtown Code is intended to result in By-Right approval where development occurs strictly in conformance with the requirements of the applicable Form District. In some instances, however, it may be necessary to vary the prescribed form in order to accommodate

unique site and/ or building circumstances in order to promote context-sensitive development. In such instances, an applicant may seek Administrative or Development Review Board approval for relief from the requirements as set forth below. Any and all relief from the prescribed standards shall run with the land and be binding on the Property Owner and its/their successor and assigns. Applications requesting relief shall be made in writing and in the form as determined by the Department.

a) **Administrative Relief.** The Administrative Officer shall have the authority to authorize modification of up to 10% from any numerical standard set forth in this Article inclusive of any specific relief set forth in Table 14.7.3-A Administrative Relief below ~~sets forth relief from the prescribed standards that may be granted by the Director.~~ No other relief from the prescribed standards shall be permitted except as approved by the Development Review Board in b) below.

i. Any request for Administrative Relief shall extend the requirements of 24 VSA 4448(d) regarding Administrative decisions for an additional 30 days in order to provide for opportunities for public notice and comment pursuant to Departmental procedures.

ii. Decisions by the Administrative Officer ~~Director~~ regarding any Relief granted shall be made in writing and upon affirmative findings that:

A. The relief granted is the minimum necessary to achieve the desired result;

B. Granting the relief will yield a result equal to or better than in strict compliance with the standard;

C. ~~The~~The property will otherwise be developed consistent the purpose of this ordinance, the intent of the Form District, the intent and purpose of the section that the relief is being sought, and all other applicable standards; and,

D. Any additional findings as may be required by Table 14.7.3-A Administrative Relief as follows:

Table 14.7.3-A - Administrative Relief

Type of Relief	Limits of Relief Granted	Required Findings	Standards Reference
<i>previous unchanged</i>			
Glazing Voids: A reduction in the amount of required minimum glazing voids on Primary and Secondary Facades	Maximum of 10% from the required <u>Glazing voids</u>	The relief is necessary to meet the requirements of a High Performance Building Energy Code or program.	Section 14.4: Specific to Building Types, Table 14.4.15- A Street Activation = <u>Primary and Secondary Façade</u> , and Section 14.5: Specific to Frontage Types
Glazing Voids:	Maximum of 10% of the required linear distance between windows <u>voids</u>	The relief is necessary for the creation of stronger distinctions between	Section 14.4: Specific to Building Types, Table 14.4.13-

A reduction in the maximum
linear distance between
window openings ~~voids~~

individual Frontage Types
and/or at Building corners.

remaining unchanged

b)-c) - unchanged

Sec. 14.8 - Glossary

Active Street-level Use: a use or activity within a space that is regularly frequented and actively utilized by workers, residents, guests, and/or patrons of the Principal Use; invites direct access from the public sidewalk or Civic space; and, provides visual interest and engagement to pedestrians on the adjacent sidewalk. Active street level uses generally include, but are not limited to retail, restaurants, bars, entertainment, hospitality, professional and personal services, libraries, institutional, educational and cultural facilities, office, residential, and entrance lobbies. Active Street-level Uses do not include those intended for parking, storage, mechanicals, utilities, and other substantially similar secondary or accessory uses and spaces.

Awning: A fixed or retractable wall mounted frame covered with fabric or other pliable material that provides decoration and shade and weather protection over a patio, window, storefront, or Building entrance.

Balcony: A wall-mounted projecting platform with a railing accessible from an upper story doorway that provides outdoor amenity space above the first floor.

Canopy: A fixed wall mounted or stand-alone rigid structure that provides decoration and shade and weather protection over a patio, window, storefront, or building entrance.

Deck: A roofless, raised platform on the ground or on top of a roof that is accessible from a secondary entrance that provides outdoor amenity space.

Department: The Department of Permitting and Inspections.

Thoroughfare: a public or private way for use by public vehicular, pedestrian, and bicycle traffic that provides Access to Lots and Open Spaces, and incorporates vehicular lanes and Public Frontages.

Streetscreen: a freestanding hedge, fence or wall of between 3.5 and 8 feet in height built (a) along the Frontage Line or (b) on the same plane as the Façade of the Building to Screen a Parking Lot, Parking Area or Loading Area, provide privacy to a side yard or rear yard, and/ or strengthen the spatial definition of the public realm. A Streetscreens may have include an openings no larger than necessary 4-feet to allow automobile and enable pedestrian Access, and may be no longer than 20-ft or 20% of the Frontage whichever is less.

Burlington Planning Commission

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Andy Montroll, Chair
Bruce Baker, Vice-Chair
Yves Bradley
Alexander Friend
Emily Lee
Harris Roen
Jennifer Wallace-Brodeur

Burlington Planning Commission with City Council Ordinance Committee

Tuesday, April 13, 2021, 6:30 P.M.

Remote Meeting via Zoom

Draft Minutes

Members Present	A Montroll, B Baker, Y Bradley, A Friend, E Lee, H Roen, J Wallace Brodeur, C Mason, J Hanson, Z Hightower
Staff Present:	D White, M Tuttle, S Gustin, K Sturtevant, P Wehman, B Ward
Attendance:	J Fish, R Camara, K Van Woert, A Magyar, M Barlow, J Hinsdale, F Lee, K Hackett, J Heller, E Redic, B Redic, L Kettler, L Jenson, M Orleans, K Gauthier, S carpenter, B Foust, D Lyons, J Marks, B Gonyaw, K Casella, K Cavoretto, R Danielson, S Bushor, one additional phone number unidentified

I. Agenda

Call to Order	Time: 6:38pm
Agenda	No Changes

II. Public Forum

Name	Comment
B Redic	City says it is interested in supporting homeownership for people of color, but disappointed about amount of work required to purchase a 3-unit home. Due to lack of paperwork in the City, required to make a significant investment to turn it into a duplex, and most recent concern is that it has been vacant for 60 days, losing the opportunity to maintain it for this purpose. Looking for support from the committee.

III. Proposed CDO Amendment: Short Term Rentals

Action: Amend proposed STR regulations to require owner-occupancy for all unit types.		
Motion: E Lee	Second: A Friend	Failed 2-5. Lee, Friend in favor; Baker, Bradley, Montroll, Roen, Wallace Brodeur oppose.
Action: Amend proposed STR regulations to allow STR in 1 and 2 unit buildings when host does not live on-site if owner has owned property for 3 years.		
Motion: B Baker	Second: H Roen	Passed 4-3. Baker, Bradley, Montroll, Roen in favor; Friend, Lee, Wallace Brodeur oppose.
Action: Approve the Municipal Bylaw Amendment Report and forward proposed CDO and Ch. 18 amendments to Council as amended, with recommendation.		
Motion: Y Bradley	Second: J Wallace Brodeur	Passed 6-1. Lee opposed.
Staff provided an overview of the current proposal for both CDO and Ch. 18 amendments, which are posted online at: https://www.burlingtonvt.gov/CityPlan/PC/Agendas		
The Chair opened the Public Hearing at 6:51pm with the following comments received:		

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 802-865-7144.

- E Redic- Disappointed in lack of concern about who is being impacted and harm to the community. Say want affordable housing and safe places to live, but the only way to do that is relieve some of the regulations in place. City is making it difficult to be a landlord, and putting own family and tenants at risk.
- K Casella- Proposed STR regulations are draconian and overreach. Did not do work to document how many STRs have replaced housing units, how owner-occupancy requirement is addressing a problem. 38% of VT STR hosts use STRs as primary income; personally use STR income to pay increasing taxes. Proposal could make homeownership impossible in Burlington, and harm homeowners' livelihood. Ask committee to withdraw the proposal, reconsider impacts, and implement a registration process.
- J Heller- Applaud adoption of clear and understandable regulations; do not think ability to STR should be based on neighbors' relationships.
- J Marks- Request withdraw of proposal until more data and evidence based recommendations to improve living conditions. Proposal is unlikely to improve housing, but will economically impact property owners. Lack of affordability is due to lack of growth, stagnant wages, and cumbersome zoning ordinance. ARPA will bring money for affordable housing in state and S.79 is likely to pass the legislature and have a positive impact on housing and reveal the true nature of STRs. Many whole unit STRs in Burlington were never long-term housing before.
- L Jenson- Withdraw the recommendations because committee is not willing to create a truly progressive policy. Impacts have not been meaningful debated, housing summit report has not been satisfied. Need to know who will benefit vs. be harmed; how the policy will make housing more affordable; and impact on tenants, tax income, and tourism economy. Need to determine the process and benchmarks for evaluating changes to the policy. Concerned about why housing inspections are not required in partial unit STRs renting just 1 or 2 bedrooms.
- A Magyar- How will the city replace the loss of rooms and meals tax, money from tourism economy if STRs are reduced? Pandemic has caused economic ruin but STRs have a role in the recovery. Burlington is a tourist city, and tourism will roar back after the pandemic. STR guests stay longer and spend more than typical visitors, distribute economic impacts outside of downtown, and money stays in local area. STRs are not new; homes and camps have been around, but sharing platforms ensure that taxes are paid. Is the Committee willing to risk not knowing how this will impact the city's economy?
- D Lyons- Eliminate requirement for primary residence for single unit and duplexes. Landlord should be able to permit a building whether they live on site or not. Committee should consider proposal from last month to allow owners of a building for 3+ years to host STR if they don't live on site. It is a balanced approach. Otherwise, should wait to see what S.79 does at the state level.
- Jacob Hinsdale- Concerned about false choice suggested between STR and long-term rentals. STRs require a lot more resources on a day-to-day basis compared to a LTR rental. Don't believe that large landlords will ever convert housing units en masse, partially because there is not enough labor to keep up with the work required. Don't think it will impact overall availability of housing in the city if people can STR another property that they own. Should be more data and reflection about relationship to state level policies.

The Chair closed the Public Hearing at 7:31pm, with Committee discussion to follow:

- At request of Committee members, A Montroll reintroduced proposal to allow people that have owned a property for 3+ years to STR even if they do not live at the property.
- Some Committee members supported this idea as a way to reach compromise, to avoid putting existing STR hosts out of business, but to stem property speculation and with little impact on existing rental housing stock. Generally, these members felt this provided flexibility for people to STR to afford to stay in their home or keep up their properties.

- Other Committee members were concerned this would create an incentive not to convert a housing unit back to long-term, resulting in a loss of workforce housing, and concerns that it was benefitting property owners who have already been able to invest in the market while excluding new property owners. Some committee members suggested a willingness to loosen the rules in other ways, but did not support this approach.
- Some committee members noted that waiting is not an option, both due to the post-pandemic potential to see an increase in STRs, as well as a concern that state-level policy may not address Burlington specific issues.
- A Committee member noted that it is disingenuous to say people are going to lose "their" home, because the proposal allows people to STR their own home. Having a second property is a significant investment. It was noted by several committee members that precluding STRs in some properties does not preclude the opportunity to make money from long-term renting.
- Some Commissioners noted that the committee has only heard from hosts, but not the people who are looking for housing in the city, including the 60% of households that are renter-occupied, and that the Committee has the responsibility to consider everyone.
- At the conclusion of the discussion, a motion to require owner-occupancy for all STR scenarios failed, and a motion to enable off-site hosting for 1 and 2 unit properties that have been owned for 3+ years passed. It was clarified that this is a recommendation to send to the City Council, but that the Council will ultimately have the authority to amend or adopt the proposed regulations.

IV. Reapprove Municipal Bylaw Amendment Report ZA-21-06

Action: Reapprove Municipal Bylaw Amendment Report and forward to Council for adoption.		
Motion: A Friend	Second: E Lee	Vote: Approved Unanimously
At the recommendation of staff, Council Ordinance Committee modified the proposed amendment to replace term "no-mow" with "low-mow". Commissioners supported the amendment as being accurate to the intent of the definition.		

V. Commissioner Items

Action: N/A		
Motion: NA	Second: NA	Vote: NA
• H Roen noted he will not be seeking reappointment at the end of the term in June, will focus on work with Renewable Energy Vermont. • B Baker noted continued concerns about how zoning presents a barrier to the next generation of homeownership in Burlington, including that duplexes aren't allowed in some of the existing zoning districts. • E Lee requested an update to the rental housing code to include on the permit checklist the requirement for recycling totters for all rental buildings, and the requirement to have a physical barrier that defines parking areas.		

VI. Minutes & Communications

Action: Approved the minutes and accepted the communications		
Motion by: A Friend	Second: J Wallace Brodeur	Vote: Approved Unanimously
• Minutes Approved: March 9, 2021 • Communications filed enclosed in agenda packet, and additional communications posted online at https://www.burlingtonvt.gov/CityPlan/PC/Agendas		

VII. Adjourn

Adjournment		Time: 8:49
Motion: H Roen	Second: J Wallace Brodeur	Vote: Approved Unanimously

April 21st, 2021

Burlington Planning Commission
c/o Department of Planning and Zoning
149 Church Street
Burlington, Vermont 05401

Re: Expanding the FD5 boundaries to include buildings along Pine Street north of King Street

Dear Members,

Please accept this letter as a formal request to amend the 2019 extension of the downtown FD5 District to include 3 buildings on the west side of Pine Street north of King Street. This request is put forth by the two owners of these buildings:

Offenhartz Inc., 157-159 Pine Street; Offenhartz Inc., 161-163 Pine Street; Amy Gonyaw, 76 King Street.

The red outlined areas in the map below are the 2019 expansions of FD5. The green outlined area encompasses the buildings we request added to FD5:



We are requesting this change so that we can have the flexibility to use our buildings for purposes which are allowed in FD5 and not allowed in residential high density, the current zoning designation for these buildings. We strongly believe it is appropriate that these buildings are zoned FD5 as it is in keeping with the FD5 zoning on either side of this block and with the plan for future growth of Burlington as it is described in Burlington's Comprehensive Plan.

In 2019, the Commission voted to extend the FD5 boundaries in several locations on the edge of the FD5 District. One of additions to the FD5 District is a slice of the block which includes our buildings, the block between Main, King, South Champlain, and Pine Streets. You can see this in the image above. We question why the buildings facing Pine St. on this block were not added along with this strip. Burlington's Comprehensive Plan identifies Pine St as a major thoroughfare and area suitable to accommodate the city's future growth. The Plan goes on "we need to have places where we can accommodate and encourage future growth and development in order to maintain our vibrancy, tax base, and character." The parking requirements tied to building use were removed along Pine St recently in preparation for encouraging this intensity of use described in the Plan. It is only a matter of time before these buildings are designated FD5 as they are already part of downtown in character and it is the stated plan to encourage growth there.

To illustrate our position further, the following is the Purpose Statement from the 2019 FD5 zoning boundary amendment: "The purpose of this proposed amendment is to modify the boundaries of Form District 5 to include additional properties located along the boundary of the current district. Properties

considered for inclusion in the FD5 district were evaluated for their current use, future potential use, development intensity, and compatibility with adjacent properties. They have been recommended to be included in the FD5 in order to encourage the type and intensity of future infill or redevelopment consistent with adjacent properties, to enable greater flexibility for expansion or reuse of existing uses and structures, and/or reduce existing non-conformities.” We believe that not including these 3 buildings is directly at odds with this purpose statement.

Below are the buildings neighboring our 3 that are already designed FD5.

This is 168 Pine St. It is a 6 unit multifamily and is zoned FD5. It is directly across the street from our property.



This is 151-153 Pine St. It is a 5 unit multifamily. It is one building north of the 3 building we are requesting added to FD5. It was added to FD5 with the recent zoning changes.



It seems an oversight that these three buildings were not included in the 2019 expansion of FD5. We would like this corrected so that we can use our buildings in a way that is in keeping with their location in downtown Burlington as described in Burlington's Comprehensive Plan. Thank you for considering this amendment and for your dedication to ensuring Burlington grows in a thoughtful way.

Sincerely,

Steven Offenhartz, Bill and Amy Gonyaw

April 22, 2021

Rachel Lomonaco
District 4 Coordinator
Natural Resources Board
111 West Street
Essex Junction, Vermont 05452

Re: 410116-21H Burlington School District - Burlington

Dear Ms. Lomonaco:

VTrans has reviewed the proposed permit application as well as the VHB Traffic Impact Study (Exhibit 016, VHB-Burlington High School TIS, January 2021) and offers the comments below.

The proposed project consists of an after-the-fact change in use of former Filene's/Macy's store building into the host site for Burlington High School. According to the VHB traffic impact study, the proposed project is expected to generate 275 additional net trips per hour (vph) during the AM peak hour and a net *decrease* of 85 vehicles during the PM peak hour. These net trip calculations factor in the multimodal transportation of students and faculty (walking, buses, and bicycling) while also accounting for the AM and PM trips the previous land use (Macy's). In the case of the PM peak hour trips, the Macy's department store had created more trips than the school will create thus a net decrease of 85 vehicles was realized.

In reviewing the application and traffic impact study there are a few key points with the new high school location that should be noted:

- The school is not providing additional or new traffic to Burlington per se. It is shifting existing school traffic from its previous location approximately 1.5 miles away.
- The school traffic at the Macy's location will be for temporary use.
- As mentioned in the application description, this is an "after-the-fact" use. Students and faculty are currently using this building. This will form a good initial measure for monitoring traffic and multimodal behavior to see what is working or not working, respectively.
- The new school location is located in the downtown district with multiple town roads in a grid pattern to enhance traffic dispersion.

- The new downtown location of the school puts it within local street and sidewalk infrastructure for convenient bicycle and pedestrian access for students and faculty.
- The new downtown location of the school is in close proximity to the GMT downtown transit center for convenient transit access.

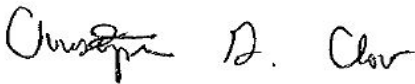
Based on these factors, VTrans concurs with net trip generation and traffic analysis from the VHB traffic impact study and has no concerns with this improvement relative to the impact of the project on traffic congestion, safety, or access for pedestrians, cyclists, and transit.

Act 145 Transportation Impact Fee

Based on our review of this permit application, VTrans does not recommend payment of a transportation impact fee pursuant to Act 145. A transportation impact fee is not required due to the fact that the school relocation is temporary, and the net PM trip generation will decrease relative to the traffic of the previous land use (Macy's). In the case where a project's net PM trip generation remains the same or decreases from that of the previous establishment, an Act 145 transportation impact fee is not warranted.

Please contact me with any questions or comments at 802-522-4901 or christopher.clow@vermont.gov

Sincerely,



Christopher G. Clow, PE
Transportation Engineer

Attachment
cc: Certificate of Service

CERTIFICATE OF SERVICE #4C0116-21H

I, Christopher Clow, of the Agency of Transportation hereby certify that on April 22, 2021, I sent a comment letter to the District #4 Environmental Commission concerning the applicant, Devonwood Cherry Street Associates, and the Burlington School District, 4C0116-21H by U.S. Mail, postage prepaid or by email to the following:

Burlington School District
150 Colchester Avenue
Burlington, VT 05401
mspauldi@bsdvt.org

Devonwood Cherry Street Associates, LLC
101 Cherry Street, Suite 440
Burlington, VT 05401
dave@btvspaces.com

David Farrington Jr.
4724 Spear Street
Burlington VT 05401
dave@btvspaces.com

Dave Marshall, PE
Civil Engineering Associates, Inc.
10 Mansfield View Lane
South Burlington, VT 05403
dmarshall@cea-vt.com

Amy Bovee, Assistant City Clerk
Chair, City Council/Chair, Planning Commission
City of Burlington
139 Church Street
Burlington, VT 05401
abovee@burlingtonvt.gov

Chittenden County Regional Planning Commission
c/o Charlie Baker, Exec. Dir.
Regina Mahony, Planning Program Manager
110 West Canal Street, Suite 202
Winooski, VT 05404
permitting@ccrpcvt.org

Agency of Natural Resources
One National Life Drive, Davis 2
Montpelier, VT 05602-3901
ANR.Act250@vermont.gov

Dept. of Public Service
112 State Street, Drawer 20
Montpelier, VT 05620-2601
barry.murphy@vermont.gov
PSD.VTDPS@vermont.gov

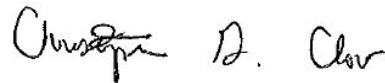
VTrans Policy, Planning, and Research Bureau
Barre City Place
219 N. Main St.
Barre, VT 05641
AOT.Act250@vermont.gov

Vt. Agency of Agriculture, Food, and Markets
16 State street, Drawer 20
Montpelier, VT 05620-2901
AGR.Act20@vermont.gov

Division for Historic Preservation
National Life Building, Drawer 20
Montpelier, VT 05620
scott.dillon@vermont.gov
james.duggan@vermont.gov
ACCD.ProjectReview@vermont.gov

Jennifer M.V. Fitch, PE, Commissioner
Judy Bruneau, Executive Assistant
Department of Buildings and General Services
2 Governor Aiken Avenue
Montpelier, VT 05633-5801
jennifer.fitch@vermont.gov
judy.bruneau@vermont.gov

Dated at Montpelier, Vermont this 22nd day of April 2021.



Christopher G. Clow, PE
Vermont Agency of Transportation

Burlington Planning Commission

149 Church Street
Burlington, VT 05401
www.burlingtonvt.gov/pz
Phone: (802) 865-7144

Andy Montroll, Chair
Bruce Baker, Vice Chair
Yves Bradley
Alex Friend
Emily Lee
Harris Roen
Jennifer Wallace-Brodeur

PUBLIC HEARING NOTICE

Burlington Comprehensive Development Ordinance Amendment

ZA-21-07: Height Measurements, Dormers & Eaves

ZA-21-08: Act 179 Changes to Ch. 117

ZA-21-09: Updates and Corrections to Article 14

Pursuant to 24 V.S.A. §4441 and §4444, notice is hereby given of a public hearing by the Burlington Planning Commission to hear comments on the following proposed amendments to the City of Burlington's *Comprehensive Development Ordinance* (CDO). Per Act 92, Secs. 5 and 6, the public hearing will take place during the Planning Commission meeting on **Tuesday, June 22, 2021 beginning at Time Certain 6:45pm. You may access the hearing/meeting as follows:**

To join from a Computer, please click this URL to join, and enter the Webinar ID if prompted:

<https://us02web.zoom.us/j/87383170809>

To join by phone, dial this number and enter the Webinar ID when prompted:

Number: +1 312 626 6799 **Webinar ID:** 873 8317 0809

Pursuant to the requirements of 24 V.S.A. §4444(b):

Statement of purpose:

The purpose of the proposed amendments are as follows:

- **ZA-21-07:** To clarify building height measurements, when and how dormers affect building height, and defines dormers and eaves.
- **ZA-21-08:** To incorporate recent changes to state enabling statute regarding ADU's, existing small lots, and small multi-unit dwellings.
- **ZA-21-09:** To make a range of corrections and updates to Article 14 based on its application.

Geographic areas affected:

These amendments apply to the following areas of the city:

- **ZA-21-07:** All areas and zoning districts within the city.
- **ZA-21-08:** All areas and zoning districts within the city.
- **ZA-21-09:** Form Districts 5, 6, and Civic located in the downtown area of the city.

List of section headings affected:

The proposed amendments modify the following sections of the *Burlington Comprehensive Development Ordinance*:

- **ZA-21-07:** Modifies Sec. 5.2.6 (a) 1.; adds Sec. 5.2.6(a) 2.D and Sec. 5.2.6 (b); Modifies Sec. 6.3.2. (a) 2; and Modifies Article 13: Definitions
- **ZA-21-08:** Modifies Sec. 5.2.1; Modifies Sec. 5.4.5; Modifies Sec.13.1.2; and Modifies Appendix A- Use Table
- **ZA-21-09:** Modifies Sec. 14.1.3; Sec 14.3.4-C; Sec.14.3.4-E; Sec.14.3.4-F; Sec.14.3.4-G; Sec 14.3.5-C; Sec.14.3.5-E; Sec.14.3.5-F; Sec.14.3.5-G; Creates Sec. 14.3.6-I Water Dependent; Modifies Sec.

ZA-21-07, 21-08, 21-09

14.4.13; Sec. 14.5.15; Sec. 14.6.4; Sec. 14.6.7; Sec. 14.6.8; Sec. 14.7.1; Sec. 14.7.2; Sec. 14.7.3; and Sec. 14.8; and Modifies Article 14- Map 3 Shopfront Required

The full text of the *Burlington Comprehensive Development Ordinance* is available online at www.burlingtonvt.gov/DPI/CDO. The proposed amendment can be reviewed in hard copy posted on the first floor of City Hall, 149 Church Street, Burlington or online at <https://www.burlingtonvt.gov/DPI/CDO/Amendments>

TO: Planning Commission

FROM: David E White, FAICP, Dir. of Planning
Scott Gustin, AICP, DPI Principal Planner & Zoning Division Manager
Mary O'Neil, AICP, DPI Principal Planner

DATE: July 21, 2021

RE: CDO Amendment ZA-21-07: Height Measurement, Dormers & Eaves

Overview & Background

This amendment addresses two areas within the Comprehensive Development Ordinance that relate to how a building's height is measured as follows:

Height Measurement

This amendment seeks to improve the connection between existing sections of the Comprehensive Development Ordinance pertaining to how building height is measured:

- Sec. 5.2.6 (a) 1 A & B note two starting points for measuring a building's height – from the sidewalk or from the average finished grade around the entire building, depending on the distance from the sidewalk.
- Sec. 5.2.6 (a) 3 specifies increments for building height measurement along the street façade.

The relationship between Sec. 5.2.6 (a) 1 A and 3 is clear. A building's height measured from the public sidewalk is done in increments to account for changes in grade along the street façade. The relationship between Sec. 5.2.6 (a) 1 B and 3 however is not clear. How does the requirement for height measurement intervals along the street façade(s) relate to the average finished grade around the entire building? This amendment seeks to clarify this relationship. The end result clarifies that measurement of building height is done in increments along the street façade(s) in any case.

The Committee met and discussed this issue on 2/4 and 3/4, and unanimously recommended forwarding the staff recommendation to the full Planning Commission.

Dormers & Eaves

The Comprehensive Development Ordinance offers no guidance on how the measurement of a building's height may be impacted when dormers are proposed. Dormers are a common building element that enable greater useable living space in an attic, and at times, can stretch or exceed height limits. This amendment seeks to articulate under what circumstances roof dormers actually affect building height and how. It also introduces a basic design standard and new definition of the term.

Since the Commission referred this amendment to a Public Hearing, staff has noted the need for a minor change to the language regarding dormers which is highlighted in yellow below.

A related matter as to roof form is the term "eave" which lacks definition in the CDO. Eaves are allowed to project into setbacks. Lacking definition of the term, there have been proposals to stretch the concept of what an eave is in order to take advantage of the allowable setback encroachment. This amendment seeks to define the term "eave."

The Planning Commission Ordinance Committee discussed changes to address dormers and eaves separately, but the matters have been combined into one amendment given that they are both related to roof forms. The Committee addressed dormers January 7 and February 4, 2021 and

recommended forwarding the amendment to the full Planning Commission for consideration. The Committee discussed the eave matter at their March 7 and April 4, 2019 meetings and recommended forwarding the amendment to the full Planning Commission for consideration.

Proposed Amendment

Amendment Type

Text Amendment	Map Amendment	Text & Map Amendment
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Purpose Statement

The purpose of this amendment is to clarify that building height is measured in increments along the street façade, regardless of whether the building height is measured just from the public sidewalk or from the average finished grade around the entire building. Further, the proposed amendment identifies when and how roof dormers affect building height measurement, provides a design standard for dormers, and defines the terms "dormer" and "eave."

Proposed Amendments

Deleted language is ~~crossed out~~ and new language is underlined in red.

[Begin text amendment]

Article 5: Citywide General Regulations

Sec. 5.2.6 Building Height Limits

No structure shall exceed thirty-five (35) feet in height unless otherwise authorized under the district-specific provisions of Article 4:

(a) Height Measurement:

The maximum height of any building shall be measured as follows:

1. Starting Point: Building height shall be measured from:
 - A. a public sidewalk, alley, or other public way or space where the proposed building's street-facing façade ~~it~~ is within a ~~1050~~-foot horizontal distance of the lot's street frontage, of an exterior wall on the front of the building; or,
 - B. the average finished grade within a 10-foot horizontal distance of the building's street-facing façade where the proposed building is more than a 50-foot horizontal distance from the lot's street frontage, all exterior walls of the building. In cases where a property line is within a 10-foot horizontal distance of an exterior wall, the average grade shall be measured between the property line(s).
 - ~~B.C.~~ For buildings on sloped sites, see additional measurement standards in (b) below.
2. Ending Point: Building height shall be measured to:
 - A. Flat Roof: *As written.*
 - B. Pitched Roof: *As written.*
 - C. Curved Roof: *As written.*
 - D. Roofs with Dormers: Building height will be calculated to the midpoint of the rise of dormers that either individually or collectively exceed 50% of the width of the horizontal eave length of the roof.

Dormers less than this width do not affect height calculation noted in A – C and E of this subsection.

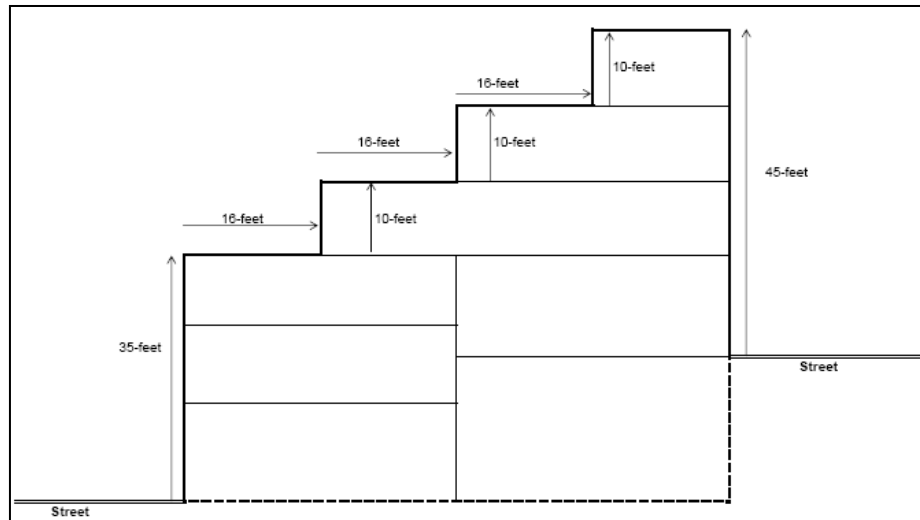
E. Other Roof Forms: As written.

(b) Buildings on Sloped Sites: Buildings on slopes shall reflect the pre-construction topography of the site by making use of opportunities to vary the building's height and roof forms relative to terrain changes as follows:

1. Measurement Interval: ~~To encourage a variation in building heights relative to terrain changes and encourage a variation in roof form, Building height shall be measured along the street-facing façade beginning no less than 16-feet or more than 32-feet from lowest corner, or where two streets intersect if a corner lot, and at an interval of no less than 32-feet or more than 65-feet for along the entire length of the street-facing façade(s).~~



2. Lots Fronting on Two or More Streets: Where a lot, other than a corner lot, fronts on two or more streets, the building height shall be measured along each street-facing façade. Where the streets are at differing elevations, the building height may gradually increase above the maximum height allowed on the lowest street provided that any such additional height along the lowest street shall be set-back a minimum of 16-feet from the average plane of the building's street-facing façade below for every 10-feet of additional building height up to the maximum height allowed on the highest street.



3. Illustration: To ~~illustrate~~ evaluate the height and bulk of ~~the a proposed building structure in context with its surroundings,~~ the ~~DRB applicant~~ may be required the developer to prepare a scale model, computer visualization, illustrations, or other renderings ~~of the proposed building in context with its surroundings.~~

(cb) Exceptions to Height Limits

(Unchanged)

Article 6: Development Review Standards

Sec. 6.3.2 (a) 2, Roofs and Rooflines

New buildings should incorporate predominant roof forms and pitches within the existing neighborhood and appropriate to the context. Large expanses of undifferentiated roof forms shall be avoided. This can be achieved by incorporating dormers or some variation in the roof form to lessen the impact of the massing against the sky. While flat roofs can be a reasonable architectural solution, pitched roof forms and architectural elements that enhance the city's skyline are strongly encouraged. Roof eaves, parapets, and cornices should be articulated as an architectural detail. Roof-top mechanicals shall be screened from view from the public street, and should be incorporated into and hidden within the roof structure whenever possible.

Dormers shall not exceed the height of the ridgeline of the roof to which they are attached, and shall be set back a minimum of 1-foot from the edges of the underlying roofline. Individual dog house dormers shall be limited to 33% of the horizontal eave length of the principal roofline.

Solar panels, light colored ballast or roof membranes, split roof clerestories, planted or "green" roof technologies (with a clearly articulated maintenance plan) and "gray water" collection are encouraged. Active rooftop uses are also encouraged to add to the visual complexity and activity of the city's skyline, and afford public access to otherwise unseen views of the city and surrounding landscape.

Article 13: Definitions

Eave: The edge of the roof which overhangs the face of an exterior building wall and, normally, projects beyond the side of a building; performing the primary function of the roof in throwing water clear of the exterior building walls.

Dormer: A roofed structure, often containing a window that projects vertically beyond the plane of a pitched roof. Dormers are commonly used to increase the usable space in a half story and to create window openings in a roof plane.

Shed dormers have a single, inclined roof.



Dog house dormers are gable roofed, typically with a single window.



All other definitions, as written.

[End text amendment]

Relationship to planBTV

This following discussion of conformance with the goals and policies of planBTV is prepared in accordance with the provisions of 24 V.S.A. §4441(c).

Theme	Dynamic	Distinctive	Inclusive	Connected
Land Use	Conserve	Sustain		Grow

Compatibility with Proposed Future Land Use & Density

The proposed amendment does not impact the types or density of potential land use and density.

Impact on Safe & Affordable Housing

The proposed amendment has no impact on housing safety and affordability.

Planned Community Facilities

The proposed amendment has no impact on planned community facilities.

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, PC OC review 2/4 & 3/4/21	Presentation to & discussion by Commission 4/27/21	Approved for Public Hearing 4/27/21	Public Hearing 6/22/21 & 7/27/21	Approve & forwarded to Council
				Continue discussion

City Council Process				
First Read & Referral to Ordinance Cmte	Ordinance Cmte discussion	Ordinance Cmte recommend as modified	Second Read & Public Hearing	CCOC Recommends Approval & Adoption
				Rejected

TO: Planning Commission
FROM: David E White, FAICP, Dir. of Planning
Scott Gustin, AICP, DPI Principal Planner & Zoning Division Manager
DATE: June 21, 2021
RE: ZA-21-08 Act 179 Changes to Ch. 117

Overview & Background

The Vermont legislature passed Act 179 (S.237) in September 2020, and the bill was signed into law on October 12, 2020. Among other things, this act included multiple changes to state enabling law (24 VSA Ch 117) intended to promote greater access to affordable housing. Specifically relevant to Burlington are 3 changes that require amendment to the *Comprehensive Development Ordinance (CDO)* in order to conform with these changes in state statute. These are:

- amending the definition and some requirements for accessory dwelling units
- requiring that certain "small lots" must be unable to connect to municipal water and sewer in order for a municipality to prohibit development on it
- prohibiting a municipality from denying dwellings of four or fewer units in districts that allow multi-unit dwellings based solely on the character of the area when conducting a conditional use review

The Planning Commission discussed each of these issues on Feb 23, 2021, and supported recommended staff changes applicable to sections of the *CDO* relative to Accessory Dwelling Units and Existing Small Lots. The Commission referred the issue of conditional use review for small multi-unit buildings to its Ordinance Committee for additional discussion.

The Commission's Ordinance Committee discussed the provisions related to conditional use review of multi-unit buildings between two and four units on March 4, 2021. Staff presented 4 possible approaches, with an overall recommendation which centered on removing conditional use review for all residential uses across the city. The staff recommendation that conditional use is not appropriate for residential uses located within a residential district is based on a number of factors, including:

- residential uses permitted or prohibited within each district should be more consistent with the purpose statement of the zoning districts involved (i.e. allowing duplexes as a permitted use in RL)
- there is regulatory redundancy between Conditional Use Review and Major Impact Review for multi-unit housing; ultimately Major Impact Review is more appropriate for considering changes in residential intensity
- Appendix A currently creates confusion between regulating use vs. regulating building type (ie. "Attached Dwelling(s) – Mixed-Use" is a building type, not a use).

The Ordinance Committee unanimously recommended forwarding the staff recommendation to the full Planning Commission for consideration.

Proposed Amendment

Amendment Type

Text Amendment	Map Amendment	Text & Map Amendment
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Purpose Statement

The proposed amendment addresses recent changes to the state enabling statute, ensuring that the CDO complies with new standards for ADUs, existing small lots, and small multi-unit dwellings.

Proposed Amendments

The following amendments to the Burlington CDO are included in this proposal:

1. Amend Sec. 5.2.1 Existing Small Lots

This affords additional provisions for the development of existing Small Lots, when those lots can connect to municipal water and sewer infrastructure.

2. Amend Sec. 5.4.5 Accessory Dwelling Units and Sec. 13.1.2 Definitions

This removes bedroom and occupant limits from ADU standards and definitions, and increases the alternative maximum size for ADUs to 900 sq.ft.

3. Amend Appendix A- Use Table

Changes duplex from a Conditional to Permitted use within the RL and RL-W districts; deletes "Attached Dwellings-Mixed Use" and distinguishes between multi-family dwellings of 3-4 units and those with 5 or more units; and changes multi-family dwellings of 3-4 units from a Conditional to a Permitted use in the Institutional district.

[Begin text amendments]

Note: Deleted language is ~~crossed out~~ and new language is underlined in red.

Sec. 5.2.1 Existing Small Lots

Any small lot of record existing as of April 26, 1973 may be developed for the purposes permitted in the district in which it is located even though not conforming to minimum lot size requirements if ~~such lot is not less than four thousand (4,000) square feet in area with a minimum width and depth dimension of forty (4) feet. the lot:~~

- can be served by municipal water and sewer service; and
- is at least four thousand (4,000) square feet in area; and
- has a minimum width and depth dimension of forty (40) feet or more.

~~A permit for~~ Any such development shall require a permit certificate of appropriateness pursuant to the standards of Article 4 and, where design review is applicable, design review provisions of Article 3 and the development standards of Article 6.

Sec. 5.4.5 Accessory Dwelling Units

(a) Accessory Units, General Standards/Permitted Uses:

Where there is a principal structure on a lot which exists as an owner-occupied single family residence, one accessory dwelling unit, that is located within or appurtenant to such single family dwelling, shall be allowed as a permitted use if the provisions of this subsection are met. An accessory dwelling unit means a an efficiency or one bedroom apartment- dwelling unit that is clearly subordinate to the principal dwelling, and has

facilities and provisions for independent living, including sleeping, food preparation, and sanitation. ~~No accessory unit shall be inhabited by more than 2 adult occupants.~~ An accessory unit shall not be counted as a dwelling unit for the purposes of density calculation. Additionally, there must be compliance with all the following:

1. The property has sufficient wastewater capacity as certified by the Department of Public Works; and,
2. The unit does not consist of more than ~~800-900~~ sq.ft., or 30 percent (30%) of the Gross Floor Area of the principal home, whichever is greater; and,
3. Applicable setback and coverage requirements are met, except as provided for in Sec. 5.2.3 (b) 10; and,
4. A deed or instrument for the property shall be entered into the land records by the owner containing a reference to the permit granting the accessory unit prior to the issuance of the certificate of occupancy for the unit. Such reference shall identify the permit number and note that the property is subject to the permit and its terms and conditions including owner occupancy. No certificate of occupancy shall be issued for the unit unless the owner has recorded such a notice.

Sec. 13.1.2 Definitions.

Accessory Dwelling Unit or Apartment: ~~An efficiency or one-bedroom apartment~~ A dwelling unit that is clearly subordinate to a single-family dwelling, and has facilities and provisions for independent living, including sleeping, food preparation, and sanitation.

Appendix A – Use Table

See attached.

[End text amendments]

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 amendments, while necessary to maintain compliance with state enabling statutes, are consistent with the land uses and densities proposed in *planBTV*. These changes do not significantly change the overall land uses and densities permitted in residential areas of the city, but is in line with the plan's future land use vision, which anticipates small and incremental changes to residential areas within the context of existing development patterns.

Impact on Safe & Affordable Housing

The proposed amendments have no impact on housing safety, and may serve to improve affordability by reducing the time, cost, and complexity for small multi-family residential development.

Planned Community Facilities

The proposed amendment has no impact on planned community facilities.

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, PC OC review 3/4/21	Presentation to & discussion by Commission 2/23/21, 4/27/21	Approved for Public Hearing 4/27/21	Public Hearing 6/22/21 7/27/21	Approved & forwarded to Council
				Continue discussion
City Council Process				
First Read & Referral to Ordinance Cmte	Ordinance Cmte discussion	Ordinance Cmte recommend as modified	Second Read & Public Hearing	CCOC Recommends Approval & Adoption
				Rejected

Appendix A-Use Table – All Zoning Districts – Planning Commission Public Hearing Draft 06/22/2021

	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
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 CU ²	Y	Y	N	Y ³	N	Y	N	N	N
Attached Dwellings - Multi-Family (3 or more)	N	N ¹	N	N	CU Y	N	Y	Y	N	Y	Y	Y	Y	N	N
Attached Dwelling(s) – Mixed-Use²⁶	N	N¹	N	N	CU	CU	CU	CU	N	Y	Y	Y	Y	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.
- 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

www.burlingtonvt.gov/plan

TO: Planning Commission
FROM: David E White, FAICP, Dir. of Planning
DATE: July 21, 2021
RE: ZA-21-09 - Updates and Corrections to Article 14

Overview & Background

This amendment makes a collection of corrections and revisions to Article 14 of the *Burlington Comprehensive Development Ordinance* (BCDO) – the planBTV: Form Based Code - based on the past 36+ months of real-world application to improve its consistent use and effective applicability. This has been a collective effort of the Permitting and Inspections team and some applicants working with staff to collect problems, questions, and challenges confronted in its application to real-world projects since adoption in the fall of 2017.

Proposed Amendment

Amendment Type

Text Amendment	Map Amendment	Text & Map Amendment
----------------	---------------	----------------------

Purpose Statement

The purpose of this amendment is to revise Article 14 of the *Burlington Comprehensive Development Ordinance* (BCDO) based on the past 36+ months of real-world application to include a number of corrections and updates to improve its consistent use and effective applicability, including:

Proposed Amendments

Proposed amendments include:

- Consistent use of terms and concepts regarding things like allowed encroachments into setbacks, location of parking, glazing, and voids.
- Makes clear the the exemption for work being proposed for a public right-of-way or thoroughfare, and instead directs compliance with *Great Streets BTV: Downtown Street Standards*, and approval by the Dept. of Public Works.
- Adds new definitions including those for Awnings, Balconies, Canopies, Decks
- Revises rear yard setback in FD5 to be consistent with previous Downtown-Transtion District requirement
- Adds a new Civic Space Type for "Water-Dependent" sites to better incorporate current and potential use of Perkins Pier
- Revise Map 3 – Shopfronts Required to include the new segments of Pine and St. Paul streets

- Revises Urban Design Standards regarding Primary Materials, Balconies and Decks, and Awnings and Canopies to improve their practical application
- Consolidates standards regarding Fences into a single location for ease of use, and adds maximum height and expands material standards
- Clarifies how the requirements and standards apply to existing and non-conforming structures.
- Expands authority for Administrative Relief for minor variations from numerical standards.
- Removes references to "Planning and Zoning" department and "Director." and replaces them with "Permitting and Inspections" dept and "Administrative Officer" as appropriate

Deleted language is ~~crossed out~~ and new language is underlined in red.

[Begin text amendment]

See attached.

[End text amendment]

Relationship to planBTV

This following discussion of conformance with the goals and policies of planBTV is prepared in accordance with the provisions of 24 V.S.A. §4441(c).

Theme:	Dynamic	Distinctive	Inclusive	Connected
Land Use:	Conserve	Sustain		Grow

Compatibility with Proposed Future Land Use & Density

The proposed amendment does not impact the types or density of potential land use and density.

Impact on Safe & Affordable Housing

The proposed amendment has no impact on housing safety and affordability.

Planned Community Facilities

The proposed amendment has no impact on planned community facilities.

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 4/7/21	Presentation to & discussion by Commission 4/27/21 & 5/11/21	Approved for Public Hearing 5/1/21	Public Hearing 6/22/21 7/27/21	Approved & forwarded to Council
				Continue discussion
City Council Process				
First Read & Referral to Ordinance Cmte	Ordinance Cmte discussion	Ordinance Cmte recommendation	Second Read & Public Hearing	Approval & Adoption
				Rejected

Burlington Comprehensive Development Ordinance

PROPOSED: ZA-21-09 – planBTV Downtown Code Update

Planning Commission Public Hearing Draft– June 22, 2021.

Changes shown (underline to be added, strike-out to be deleted) are proposed changes to the Burlington Comprehensive Development Ordinance.

Purpose: This amendment is to revise Article 14 of the BCDO to include a number of corrections and updates to improve its use and applicability.

Sec. 14.1.1-14.1.2 – unchanged

Sec. 14.1.3 -Applicability

This planBTV Downtown Code shall be applicable to all lands outside of the public rights-of-way or a Thoroughfare within the Downtown and Waterfront District as mapped or described on the Burlington Regulating Plan (Section 14.2), as such may be changed from time to time, pursuant to Section 14.2 - Regulating Plan. Any and all subdivision of land, development, and construction or modification of all Improvements, land, Buildings, and Structures in the Downtown and Waterfront District shall occur only in accordance with this Article 14 planBTV Downtown Code as in effect on the date of acceptance of the completed application for approval of the applicable Project Plan submitted pursuant to Section 14.7 Administration and Procedures.

Improvement, development, construction or modification within an existing or proposed public right-of-way or a Thoroughfare shall be made in accordance with Great Streets BTV: Downtown Street Standards, and require approval by the Dept. of Public Works.

To the extent applicable, and not otherwise in conflict with this Article 14-planBTV Downtown Code, the following sections of the Burlington Comprehensive Development Ordinance (CDO) shall also continue to apply:

- a) Article 1 - General Provisions
- b) Article 2 - Administrative Mechanisms;
- c) Article 3 - Applications, Permits and Project Reviews, Parts, 1, 2, 3, 5 and 6;
- d) Article 4 - Zoning Maps and Districts, Parts 1, 2, 3, and Part 5 Sec. 4.5.4;

- 35 e) Article 5 - Citywide General Regulations, Parts 1 ~~and~~, 2, Part 3, Secs 5.3.1-5.3.4 and
36 Secs 5.3.1-5.3.8, Part 4, Sec. 5.4.7 and, Sec. 5.4.8, and Part 5;
37 f) Article 7 - Signs
38 g) Article 8 - Parking
39 ~~g)~~ h) Article 9 - Inclusionary and Replacement Housing;
40 ~~h)~~ i) Article 10 - Subdivision Review;
41 ~~i)~~ j) Article 12 - Variances and Appeals; and,
42 ~~j)~~ k) Article 13 - Definitions.
43

44 In each case, the standards and requirements applicable to the Downtown and Waterfront District
45 Regulating Plan and this Article 14 shall take precedence without limitation over any duplicative
46 or conflicting provisions of the other Articles of the Burlington Comprehensive Development
47 Ordinance (BCDO).

48
49 If there is any conflict between the provisions of this Article 14 and any provisions of any other
50 existing City codes, ordinances, regulations or standards (the "Existing Local Codes"), the
51 provisions of this Article 14 shall take precedence over such conflicting provisions except for City
52 and state Building, Fire, Health and Safety Codes.

53
54 The graphics, illustrations, photographs, tables, and metrics are an integral part of the planBTV
55 Downtown Code; however:

- 56 a) Photographs are provided only as general illustrative examples and are not binding;
57 b) The illustrations of Table 14.3-A Burlington Form Districts Summary Table, Table
58 14.3.6-A Civic Space Types Summary Table, Table 14.4-A Building Types Summary
59 Table, and Table 14.5-A Frontage Types Summary Table are provided only as general
60 illustrative descriptions and are not binding;
61 c) The diagrams, photographs, and illustrations contained in Sections 14.3.4 through
62 14.3.6 (Specific to Form Districts), Sections 14.4.4 through 14.4.13 (Specific to
63 Building Types), and Sections 14.5.4 through 14.5.17 (Specific to Frontage Types) are
64 provided only to indicate the general character of the various Form Districts and
65 elements. References to metrics shown thereon however shall have regulatory effect.
66 d) The graphics, illustrations, and photographs in Section 14.8 Glossary are provided for
67 illustrative purposes only and are not binding;
68 e) ~~h)~~ The graphical depictions of the Form Districts on the various Tables are provided for
69 ease of reference only and are not binding. The Form District designations and standards
70 applicable to each Form District are binding.

Where in conflict, metrics represented in text and/or tables shall take precedence over metrics represented graphically, and a more specific standard shall take precedence over a more general standard.

Sec 14.2.6 - Special Requirements

Map 3 - Shopfronts Required – [See Attached](#)

Sec. 14.3.4 FD6 Downtown Core

14.3.4-C- Lot Occupation & Building Placement

Frontage Buildout & Building Setback

Rear Setback:

- | | |
|-----------------------|--|
| - Principal Buildings | 0-ft min. or 15-ft from a rear public Alley centerline |
| - Outbuildings | 0-ft min. or 15-ft from a rear public Alley centerline |

Table 14.3.4-E- Parking, Loading & Service

On-Site Parking

On-site parking shall be provided per the requirements of [Sec. 14.6.7](#).

Location on the Lot

All parking provided within a Principal Building Type (other than a Perimeter Building) shall be located Underground, above the second Story, and/or at-grade within the first Story where located in the Third Lot layer and separated from the street by an Active Street-level Use.

~~Parking Lots are not permitted, and Parking Areas shall be located in the Third Lot Layer.~~

~~Unless located within a Principal Building below the finished grade or above the second Story,~~

~~a~~ All Parking Structures, ~~and~~ Garages, and Parking Areas shall be located in the Third Lot Layer behind a Principal Building Type Perimeter Building (see [Sec. 14.4.11](#) and [Sec. 14.6.3](#)).

Parking Lots are not permitted

Miscellaneous

See also [Sec. 14.6.7](#) for additional requirements pertaining to parking and site design.

14.3.4-F- Encroachments –into

Required Setbacks

Encroachment Type	Front	Rear
Frontage Type Elements ¹	Permitted	Permitted
Awnings and Canopies ²	Permitted	Not permitted
Signs ³	Permitted	Not permitted
<u>Balcony and Decks</u>		<u>4-ft max.</u> <u>encroachment</u>
Other Architectural Features ⁴	<u>4-ft max.</u>	4-ft max. <u>encroachment</u>
Landscaping	Permitted	Permitted
Fences or freestanding walls	Not permitted	6-ft max. height
Driveways, Walkways	Permitted	Permitted
Utility Structures	Not permitted	Permitted

14.3.4-G- Encroachments - Public right-of-way

³ Building eaves, roof overhangs, solar shades, and light shelves; bay windows, oriels, and vestibules that are less than ten feet wide; and, cornices, belt courses, window sills, buttresses, or other similar architectural features may encroach into the ROW provided they are a minimum of 10-ft above the Sidewalk.

Sec. 14.3.5 FD5 Downtown Center

14.3.5-C- Lot Occupation & Building Placement

Frontage Buildout & Building Setback

Rear Setback:

- | | |
|---------------------|---|
| Principal Buildings | - <u>03</u> -ft min. or 15-ft from rear <u>public</u> Alley centerline
- 10-ft min. along a Form District boundary shared with a residential district. |
| Outbuildings | - <u>03</u> -ft min. or 15-ft from rear <u>public</u> Alley centerline |

Table 14.3.5-E- Parking, Loading & Service

On-Site Parking

On-site parking shall be provided per the requirements of [Sec. 14.6.7](#).

Location on the Lot

All parking provided within a Principal Building (other than a Perimeter Building Type) shall be located: Underground, above the second Story, and/or at-grade within the first Story where located in the Third Lot layer and separated from the street by an Active Street-level Use.

~~Parking Lots are not permitted, and Parking Areas shall be located in the Third Lot Layer.~~

~~Unless located within a Principal Building below the finished grade or above the second Story, All~~

~~Parking Structures, [Garages](#) and [Garages-Parking Areas](#) shall be located in the Third Lot Layer behind a [Principal](#) Perimeter Building (see [Sec. 14.6.3](#) and [Sec. 14.4.11](#)) [Type](#).~~

[Parking Lots are not permitted](#)

Miscellaneous

See also [Sec. 14.6.7](#) for additional requirements pertaining to parking and site design.

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14.3.5-F- Encroachments ~~into~~ Required Setbacks

Encroachment Type	Front	Rear
Frontage Type Elements ¹	Permitted	Permitted
Awnings and Canopies ²	Permitted	Not permitted
Signs ³	Permitted	Not permitted
<u>Balcony and Decks</u>		<u>4-ft max. encroachment</u>
Other Architectural Features ⁴	<u>4-ft max.</u>	<u>4-ft max. encroachment</u>
Landscaping	Permitted	Permitted
Fences or freestanding walls	Not permitted	6-ft max. height
Driveways, Walkways	Permitted	Permitted
Utility Structures	Not permitted	Permitted

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14.3.5-G- Encroachments - Public right-of-way

³ Building eaves, roof overhangs, solar shades, and light shelves; bay windows, oriels, and vestibules that are less than ten feet wide; and, cornices, belt courses, window sills, buttresses, or other similar architectural features may encroach into the ROW provided they are a minimum of 10-ft above the Sidewalk.

Sec. 14.3.6-I Water-Dependent

Intent

An Open Space associated with water-dependent recreation and related facilities.

Specifications

Form District

FD5

Size

No size limits

Frontage

Independent

Character

Informal

Coverage¹

80% max.

Buildings and Structures¹

1,500 sqft max in aggregate

Setback for Buildings and Structures

50-feet from the mean high water mark of Lake Champlain (100-feet above mean sea level) unless encroachment is required for the operation of a water-dependent use or facility.

Features such as walkways, planters, benches, fountains, public art, sitting walls and other improvements to enhance the pedestrian environment and enjoyment of the waterfront may encroach into this required setback provided public access to the water's edge and pedestrian circulation is not unreasonably impaired.

¹ Not inclusive of any associated Civic Buildings.

Typical Facilities

- Water-oriented facilities and services such as docks, marinas, boat ramps and lifts, boat fueling and pump-out, restrooms, marina office and chandlery, and facilities for commercial vessels.
- Civic, recreational, and community facilities
- Playgrounds and play Structures
- Passive recreation, paths, and trails
- Buildings and Structures necessary to support water-oriented facilities and services
- Commercial concessions

Parking

On-site parking is not required, and may not occupy more than 60% of the gross site area.

Sec. 14.4.13 - Urban Design Standards

- a) **Voids and Transparency:** Requirements regarding the proportion and spacing of voids, and the transparency of glazing on a Building Facade for the purposes of activating the public street, shall be as required in **Table 14.4.13-A Street Activation - Primary and Secondary Facade** below.

14.4.13-A- Street Activation – Primary and Secondary Facade

	<u>Building Types: Rowhouse, and Multi-Family: Small</u>		<u>Building Types: Mixed-Use, Multi-Family: Large, Perimeter, and Civic</u>	
	Ground Floor	Upper Floors	Ground Floor	Upper Floors
<u>Facade Voids:</u> (Rough openings of all windows and doors, <u>and the transparent portion of a curtain wall</u> per floor)	15% min	10% min	40% min ₁	20% min
Distance between voids measured both horizontally and vertically		35-ft max.		20-ft max.
<u>Transparency and Reflectance of</u>	VLT - na	VLT - na	60% VLT min ₂ VLR - 15% max ₂	VLT - na VLR - 15% max ₂

Glazing: applicable to VLR - 15% VLR - 15%
80% of the glazing max₂ max₂
per floor.

(VLT - Visible Light Transmittance, VLR - Visible Light Reflectance)

¹Additional requirements shall be as required for Officefront or Shopfront Fronta

b) Windows & Doors:

iii. Principal Entrances shall be defined and articulated by architectural elements such as lintels, pediments, pilasters, columns, canopies, awnings, transoms, sidelights, or other design elements appropriate to the architectural style and details of the Building as a whole. Bays including a Principal Entrance should be expressed vertically, and may continue onto the upper stories. Such bays are not required to include additional horizontal expression or upper story step-backs as required in c) below.

iv. Where provided:

A-D - unchanged

~~E. Shading devices designed and intended to control light entering the Building may project no more than 5 feet from the Facade, shall be consistent in materials, color, and design across the same Facade, and shall be placed, sized, shaped, and proportioned to match the associated openings.~~

c) Façade Articulation and Upperstory Stepbacks:

iii. Building Facades shall be horizontally articulated as follows:

C. The top story (other than a penthouse setback at least 10-feet from the primary plane of the Façade below) must have a cornice, parapet, pitched or shaped roof form and/or other equivalent architectural feature involving a projection from the average plane of the Façade of the story below by at least 12-inches to serve as an expression of the Buildings top.

iv. The upper stories of any Building exceeding 6 stories in height shall step-back as follows:

A. An upper story step-back of at least 10-feet from the primary plane of the Façade below shall occur above either the 2nd 3rd, 4th, or 5th story, with the resulting Building base ~~seeking to maintain~~ ing a consistent height of at least 50-feet along Main and Battery streets, and at least 33-feet on all other downtown streets, in order to frame and define the public realm.

d) Building Materials:

i. Primary Materials: Not less than 80 percent of each street-facing Façade (not inclusive of voids) shall be constructed of one or more primary materials comprised of tested and proven, high quality, durable, ~~and~~ natural products, and those with low embodied carbon. For Facades over 100 square feet, more than one Primary Material shall be used. Changes between

Primary Materials must occur only at inside corners. The following are considered acceptable

Primary Materials:

A. Brick and tile masonry;

B. Native or sintered stone;

C- E - unchanged

ii. Accent Materials: The following Accent Materials may make up no more than 20% of the surface area on each Façade. Accent Materials are limited to:

A. Pre-cast and cast-in-place board-formed, finished and/or textured, and patterned masonry ~~(for trim and cornice elements only);~~

B-F - unchanged

iii - *unchanged*

~~iv. Fences: Fence materials shall not include barbed or razor wire. Chain link and wire fencing shall not be used along any Frontage Line, however, woven cable fencing is permitted.~~

iv. Roof Materials (not applicable to flat roofs). Acceptable roof materials include 300 pound or better, dimensional asphalt composite shingles, wood shingles and shakes, metal tiles or standing seam, slate, and ceramic tile. To the extent possible, all roof materials and colors should be selected to maximize the roof's Solar Reflectance Index (SRI).

vi. Alternate Materials: Alternate Primary and Accent materials, including high quality synthetic materials, may be approved by the ~~Planning Director~~ Administrative Officer after seeking input from the Design Advisory Board. New materials must be considered equivalent or better than the materials listed above, ~~and must demonstrate successful, high quality local installations in~~ a similar climate. Regionally-available ~~materials,~~ and those with low embodied carbon ~~are will~~ be strongly preferred.

vii. Other: - *unchanged*

e). **Walls:**

i. Unfinished (ie. not clad or constructed in a Primary or Secondary Material per d) above) foundation walls on a Principal Building shall be exposed no more than 48-inches above the finished grade. Surface-applied waterproofing on any foundation wall shall not be visible.

ii-vi – unchanged

f). **Roofs:** – *unchanged*

g) **Balconies and Decks:** Where provided, all Balconies and Decks shall meet the following specifications:

i. Balconies must be at least 4-feet deep (A) and 5-feet wide, and shall not project more than 8-feet from the plane of the Façade or Elevation to which it is attached.

- 174 ii. Balconies shall be cantilevered or visibly supported by brackets or beams sized, shaped
175 and proportioned to match the associated ~~b~~Balcony. Columns or posts extending to the
176 ground within the public right-of-way are prohibited ~~on a Façade, except in the case of a~~
177 ~~Gallery Frontage Type.~~
- 178 iii. Balconies shall provide 8-feet minimum clear height above the finished grade, or 13-feet
179 6-inches minimum clear height above the finished grade above any area used for
180 vehicular parking or circulation, or emergency vehicle access.
- 181 ~~i.~~iv. The ~~b~~Balcony platform shall be at least 3-inches thick, and where the underside of a
182 balcony is visible from a public way it shall be finished. Balconies may ~~or may not~~
183 incorporate a ~~roof,~~ Canopy or Awning, but shall not be enclosed.
- 184 v. Decks shall be permitted only in the Third Lot Layer or on rooftops.
- 185 vi. Decks may include a Canopy, Awning or free-standing pergola, but shall not be enclosed.
- 186
- 187 h) **Awning and Canopies:** Awnings s and ~~e~~Canopies are encouraged as a traditional street-level
188 store-front fitting to accent and provide shade and/or shelter over a primary entrance, display
189 windows, or outdoor seating. Awnings and Canopies may also be found above upper story
190 windows and Balconies, and over secondary entrances. Where provided, ~~such all~~ Awnings and
191 Canopies ~~placed on a Façade~~ shall meet the following specifications:
- 192 i. Awnings and ~~e~~Canopies shall provide 8-feet minimum clear height above the finished
193 grade ~~(A)~~, and shall project a minimum of 6 feet from the Façade ~~(B)~~ to a maximum of
194 ~~2 feet from the curb (C)~~. 13-feet 6-inches minimum clear height above the finished
195 grade shall be provided above any area used for vehicular parking or circulation, or
196 emergency vehicle access (A).
- 197 ii. First floor Awnings and Canopies shall project a minimum of 3-feet from the Façade (B)
198 or Elevation to which it is attached to a maximum of 2-feet from the curb (C). Awnings
199 and Canopies on upper story windows may project no more than 5-feet from the Façade.
200 Awnings that cannot project a minimum of 3-feet due to the small size of the opening,
201 shall project a minimum of 50% of the height of the opening (e.g. a window that is 4-ft tall
202 shall project at least 2-ft).
- 203 ~~ii.~~iii. Awnings and ~~C~~eanopies shall be placed, sized, shaped, and proportioned to match the
204 associated openings or width of the associated Frontage, and shall be consistent in
205 materials, color, and design across the same Façade, Frontage Type, or architectural
206 bay.
- 207 ~~iii.~~iv. Awnings and ~~C~~eanopies that span across an entire ~~Façade~~ Frontage shall be fixed no
208 higher than the top of the first story.
- 209 ~~iv.~~ All awnings and canopies used within an individual ~~Frontage Type~~ shall be consistent in
210 ~~materials, color, and design.~~

v. Awnings and eCanopies shall not be internally illuminated or backlit, however they may contain lighting fixtures intended to illuminate the ground beneath when covering a Building entrance.

~~v.~~vi. Awnings and Canopies may incorporate signage pursuant to the requirements of Article 7.

~~vi.~~vii. Awnings shall have an ~~internal or external~~ structural framework of steel/aluminum or other appropriate, durable structural material supporting a thin, non-translucent covering material with a matte finish, such as ~~painted~~ metal, acrylic, canvas, or synthetic fabric. ~~The Awnings design should shall~~ not include a soffit, and c ~~or side panels. Retractable awnings are encouraged.~~ columns or posts extending to the ground are prohibited within the public right-of-way. Retractable Awnings are encouraged.

~~vii.~~viii. Awnings ~~shall be~~ are typically rectangular in elevation and triangular in cross-section, with shall have straight edges with no arcs or curves, and may be pitched to shed water off to the side when placed over a Building entrance. ~~–~~The valance of ~~the an~~ Aawning shall be no more than 12-inches in height (D).

ix. Canopies are typically rectangular in both elevation and in cross-section, shall have straight edges with no arcs or curves, and may be pitched enough to shed water off to the side when placed over a Building entrance. The faces of the Canopy shall be no more than 24-in in height (D).

x. Canopies shall be constructed of steel/aluminum or other appropriate, durable structural material, and ~~The canopy~~ may be clad in metal panel, wood, or other durable finished material.

~~viii.~~xi. The eCanopy design ~~shall may include a flat roof be or be left open to from~~ above without a roof using louvers or slats instead to provide shade, ~~and the exterior faces of the canopy should be no more than 24-in in height (D).~~

~~ix.~~xii. Canopies projecting into the public right-of-way shall be cantilevered or supported from above, and ~~C~~ columns or posts extending to the ground are prohibited. Canopies placed outside of the public right-of-way may be partially or fully free-standing.

i). Other:

- i. Upper-story open exterior fire stairs shall be located in the Third Lot Layer. They may be located in the Second Lot Layer provided they are enclosed and incorporated and designed in a manner consistent with the overall architectural design of the Building.
- ii. Permanent vertical access features (stairs, ramps, etc.) ~~handicapped access ramps~~ located in the First Lot Layer must be integrated into the design of the chosen Frontage Type. Otherwise they must be located in the Second or Third Lot Layer.
- iii. All utility service connections shall be underground for new construction.

- iv. The footprint area of an Outbuilding may not exceed the footprint area of the Principal Building.

(photo caption) - An example of a ~~handicapped~~ vertical access ramp integrated into a Building Frontage.

Sec 14.5.15- Courtyard Frontage Type

14.5.8-C - Standards

Courtyard - 12-ft min.

Width - lessor of 1/3 the total Building width or 35-ft max

Courtyard 12-ft min.- 35-ft max

Depth

Canopy/Awn 10-ft from Façade max

ing

Projection

Clear Path of Travel to a Principal Entrance

14.5.8-D - Miscellaneous

A maximum of one Courtyard is permitted per Principal Building.

A Courtyard shall remain open to the sky, and may not contain Driveways, parking, loading or service areas, or mechanical equipment or vents.

A Courtyard may include a free-standing Canopy, Awning, umbrellas or pergola, but they shall not be enclosed.

The Courtyard shall be activated as a space for gathering, circulation, outdoor shopping, and/or restaurant seating.

The proportions and orientation of ~~these spaces~~ a Courtyard should be carefully considered for solar orientation and user comfort.

A Courtyard is considered as part of the Building for the purpose of measuring the Frontage Buildout. All faces of the recessed Courtyard shall be considered to be part of the Façade.

Sec 14.5.15- Forecourt Frontage Type

14.5.15-D - Miscellaneous

A Forecourt occupies the First Lot Layer, and may extend the depth of a maximum required front yard setback to an amount equal to the maximum depth permitted in Sec. 14.5.15-C.

A Forecourt shall remain open to the sky, and may not contain Driveways, parking, loading or service areas, or mechanical equipment or vents.

A Forecourt may include a free-standing Canopy, Awning, umbrellas or pergola, but they shall not be enclosed.

Hardscape coverage requirement may be achieved through a combination of pervious and impervious surface materials.

Sec. 14.6.4- Building Height

a) thru c) - *unchanged*

d) Basements and Crawl Spaces

- i. Exposed basement walls visible along any Frontage shall not exceed ~~89~~ (nine~~eight~~) feet in height measured from the exterior finished grade to the finished floor of the Story above.
- ii. Unfinished crawl spaces taller than 3 (three) feet shall be screened from view from public Thoroughfares with landscaping.
- iii. Unfinished crawl spaces shall not exceed 5 (five) feet in height measured from the exterior finished grade to the finished floor of the Story above.

e) **Grading or Regrading of Sites.** Sites with uneven topography present unique issues in relation to Building height. Buildings on steep slopes shall reflect the pre-construction topography of the site. When a site's topography is modified, the site shall be graded in such a way to avoid the following features:

- i. Retaining walls or unfinished blank walls taller than 4 feet in height along required Principal or Secondary Frontage;
- ii. Retaining walls taller than 8 feet in height along the rear or side setbacks; and
- iii. The construction of Buildings that do not reflect the preconstruction topography of the site. Illustrations below show appropriate site grading methods.

f) - *unchanged*

Sec. 14.6.7- Parking and Circulation

a) thru d) – *unchanged*

e) **Parking Structures and Garages**

- i. With the exception of individual Garages serving a Rowhouse Building Type which shall be located in the Third Lot Layer, all Parking Structures and Garages shall be located:
- within a Principal Building Type and located Underground, above the second Story, and/or in the ground floor when located in the Third Lot layer and separated from the street by an Active Street-level Use; or,
 - behind a Perimeter Building (See Section 14.4.11), or enclosed below the finished grade or above the second story within a Principal Building that provides active uses (such as, but not limited to, residential lobby, retail, office, recreational, or services) at the street level along the width of the Frontage a minimum of 20 feet deep.

ii-vi unchanged

g) **Parking Spaces, Lot Design and Layout**

i - ii unchanged

iii. Stacked and Tandem Parking. – otherwise unchanged

Sec. 14.6.8- Site and Landscape Standards

a) **Purpose and Applicability-** unchanged

b) **Site Standards:**

v. Fences and Free-standing Walls:

A. Fences and Free-standing Walls placed within the First Lot Layer shall not exceed 4-feet in height. Fences and Free-standing Walls placed within the Second or Third Lot Layer shall not exceed 8-feet in height unless a different height limit is specified under the applicable Form District or Frontage Type.

B. Materials used for Fences and Free-standing Walls shall be limited to Brick and tile masonry; Native or sintered stone; Wood – panels, clapboard or shingles; Cementitious siding, metal, and woven or braided cable wire. Chain-link and welded-wire fencing shall not be used along any Frontage Line with the exception of the temporary enclosure of a construction site, or where required by the Building Official to protect public safety. Barbed or razor wire shall not be used in any application. Alternate materials may be approved by the Administrative Officer after seeking input from the Design Advisory Board. Alternate materials must be considered equivalent or better than the materials listed above, and must demonstrate successful, high quality local installations. Regionally-available materials are preferred.

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

c) **Land**scape Standards: *otherwise unchanged*

d) **Solid Waste Storage Areas** - *unchanged*

Sec. 14.7 – Administration and Procedures

14.7.1 - Applying for a Zoning Permit: Submission Requirements and Review

a) – *unchanged*

b) **Application Submission.** Each application shall be submitted to the Department of ~~Planning and Zoning~~ Permitting and Inspections along in a form to be provided by the Department. Upon its determination that an application is complete, the Department shall process each application in accordance with this Section.

c) – *unchanged*

d) **Modification of Submission Requirements.** The Administrative Officer ~~Director~~ may allow the modification of the application and submission requirements listed above, including reducing and/or combining existing and proposed information on the same site plan, provided that any modification enables adequate review of the application. The Administrative Officer ~~Director~~ may also require the submission of additional information when deemed necessary to make a decision on the request. Such additional information may include but is not limited to the following:
(*remaining unchanged*)

e) - *unchanged*

f) **Review and Approval of Civic Spaces and Civic Buildings.**

The creation of new Civic Spaces or Civic Buildings, or the Substantial Modification of an existing Civic Space or Civic Building, shall follow the process as defined below. Any other proposed alteration to an existing Civic Space or Civic Building shall be reviewed and approved by the ~~Director~~ Administrative Officer who shall ensure ongoing compliance with the intent and standards of this Chapter as applicable.

Because of their important civic nature and public use, the design and form of a new or Substantial Modified Civic Space or Civic Building shall be determined after:

- pre-application review and consultation with the departments of City Planning and Zoning, Permitting and Inspections, Community and Economic Development, and Parks, Recreation, Waterfront;
- a pre-application Neighborhood Public Meeting pursuant to Sec. 3.2.1 (d) of the BCDO;
- review and recommendation of the Design Advisory Board; and,
- final review and approval by the Development Review Board.

Remaining section is unchanged

Sec. 14.7.2 - Non-Conformities

In addition to that as specified in Article 5, Part 3 Non-Conformities, of the *Burlington Comprehensive Development Ordinance*, any Building, Structure, Frontage, Development, Site, Improvement, or other appurtenance thereto ~~non-conformity~~ which lawfully existed at the time of adoption of the applicable provisions of this ~~or any~~ Article or any amendment thereto may be continued subject to the following provisions:

a) Nothing in these regulations are intended to prevent normal repair and maintenance necessary to keep a Building, Structure, Site, Improvement or other appurtenance thereto in a safe and sound condition;

b) Any Building, Structure, Frontage, Development, Site, ~~sign~~, Improvement, or other appurtenance thereto which legally existed on the effective date of this Article that does not conform to the requirements of this Article may continue until a Substantial Modification is requested or Abandonment occurs;

c) Any nonconforming structure may be enlarged, maintained, repaired or altered; provided, however, that no enlargement, maintenance, repair or alteration shall either create an additional nonconformity or increase the degree of the existing nonconformity of all or any part.

a)d) At such time when a Substantial Modification is requested or Abandonment occurs, only the affected portion(s) of the Building, Structure, Frontage, Development, Site, ~~sign~~, Improvement, or other appurtenance thereto shall be required to comply with all applicable provisions of this Article, and to the greatest extent practicable in the determination of the Administrative Officer or unless relief is provided by the DRB pursuant to Sec. 14.7.3 below;

~~b) Any modification other than a Substantial Modification an existing Building, Structure, Frontage, Development, Site, sign, Improvement, or other appurtenance thereto shall be permitted By Right only if such changes result in greater conformance with the specifications of this Article;~~

~~e) Any change or modification shall not create any new nonconformity; and,~~

d) Buildings listed or eligible for listing on the State or National Register of Historic Places shall not be required to make any modifications under a) and b) above this section that would threaten their historic integrity.

14.7.3 - Variation from the Form: Administrative Relief, DRB Alternative Compliance, and Variances

The planBTV Downtown Code is intended to result in By-Right approval where development occurs strictly in conformance with the requirements of the applicable Form District. In some instances, however, it may be necessary to vary the prescribed form in order to accommodate unique site and/ or building circumstances in order to promote context-sensitive development. In such instances, an applicant may seek Administrative or Development Review Board approval for relief from the requirements as set forth below. Any and all relief from the prescribed standards shall run with the land and be binding on the Property Owner and its/their successor and assigns. Applications requesting relief shall be made in writing and in the form as determined by the Department.

a) **Administrative Relief.** The Administrative Officer shall have the authority to authorize modification of up to 10% from any numerical standard set forth in this Article inclusive of any specific relief set forth in Table 14.7.3-A Administrative Relief below ~~sets forth relief from the prescribed standards that may be granted by the Director.~~ No other relief from the prescribed standards shall be permitted except as approved by the Development Review Board in b) below.

i. Any request for Administrative Relief shall extend the requirements of 24 VSA 4448(d) regarding Administrative decisions for an additional 30 days in order to provide for opportunities for public notice and comment pursuant to Departmental procedures.

ii. Decisions by the Administrative Officer ~~Director~~ regarding any Relief granted shall be made in writing and upon affirmative findings that:

A. The relief granted is the minimum necessary to achieve the desired result;

B. Granting the relief will yield a result equal to or better than in strict compliance with the standard:

C. ~~The~~ The property will otherwise be developed consistent the purpose of this ordinance, the intent of the Form District, the intent and purpose of the section that the relief is being sought, and all other applicable standards; and,

D. Any additional findings as may be required by Table 14.7.3-A Administrative Relief as follows:

Table 14.7.3-A - Administrative Relief

Type of Relief	Limits of Relief Granted	Required Findings	Standards Reference
	<i>previous unchanged</i>		
Glazing Voids: A reduction in the amount of required minimum glazing voids on Primary and Secondary Facades	Maximum of 10% from the required Glazing voids	The relief is necessary to meet the requirements of a High Performance Building Energy Code or program.	Section 14.4: Specific to Building Types, Table 14.4.15-13- A Street Activation = <u>Primary and Secondary Façade</u> , and Section 14.5: Specific to Frontage Types
Glazing Voids: A reduction in the maximum linear distance between window openings voids	Maximum of 10% of the required linear distance between windows voids	The relief is necessary for the creation of stronger distinctions between individual Frontage Types and/or at Building corners.	Section 14.4: Specific to Building Types, Table 14.4.13-
	<i>remaining unchanged</i>		

b)-c) - unchanged

Sec. 14.8 - Glossary

Active Street-level Use: a use or activity within a space that is regularly frequented and actively utilized by workers, residents, guests, and/or patrons of the Principal Use; invites direct access from the public sidewalk or Civic space; and, provides visual interest and engagement to pedestrians on the adjacent sidewalk. Active street level uses generally include, but are not limited to retail, restaurants, bars, entertainment, hospitality, professional and personal services, libraries, institutional, educational and cultural facilities, office, residential, and entrance lobbies. Active Street-level Uses do not include those intended for parking, storage, mechanicals, utilities, and other substantially similar secondary or accessory uses and spaces.

Awning: A fixed or retractable wall mounted frame covered with fabric or other pliable material that provides decoration and shade and weather protection over a patio, window, storefront, or Building entrance.

Balcony: A wall-mounted projecting platform with a railing accessible from an upper story doorway that provides outdoor amenity space above the first floor.

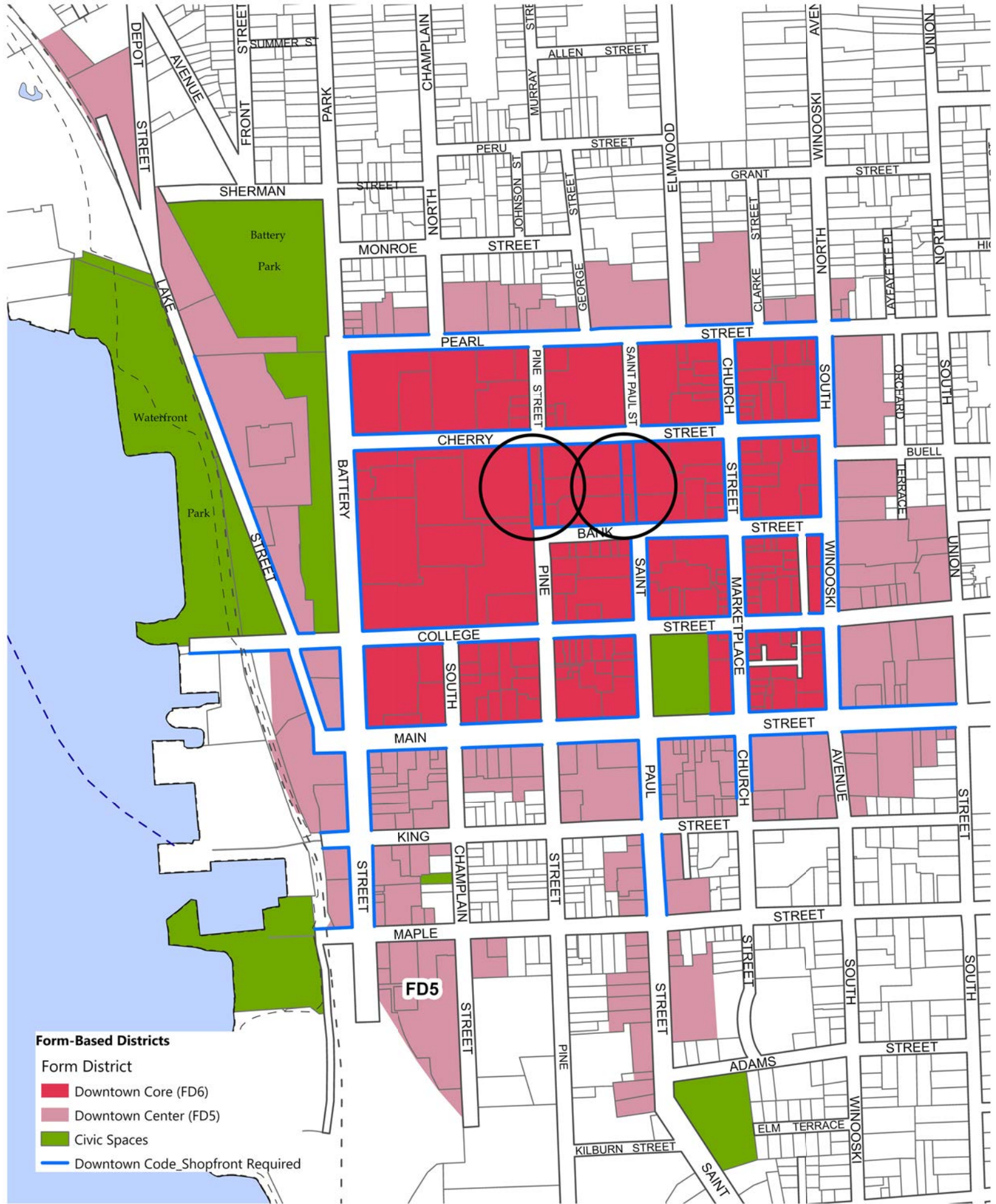
Canopy: A fixed wall mounted or stand-alone rigid structure that provides decoration and shade and weather protection over a patio, window, storefront, or building entrance.

Deck: A roofless, raised platform on the ground or on top of a roof that is accessible from a secondary entrance that provides outdoor amenity space.

Department: The Department of Permitting and Inspections.

Thoroughfare: a public or private way for use by public vehicular, pedestrian, and bicycle traffic that provides Access to Lots and Open Spaces, and incorporates vehicular lanes and Public Frontages.

Streetscreen: a freestanding hedge, fence or wall of between 3.5 and 8 feet in height built (a) along the Frontage Line or (b) on the same plane as the Façade of the Building to Screen a Parking Lot, Parking Area or Loading Area, provide privacy to a side yard or rear yard, and/ or strengthen the spatial definition of the public realm. A Streetscreens may ~~have~~ include an openings no larger than ~~necessary~~ 4-feet to ~~allow automobile and~~ enable pedestrian Access, ~~and may be no longer than 20 ft or 20% of the Frontage whichever is less.~~



Downtown Form District Shopfront Required - ZA-21-09 as proposed

Burlington Comprehensive Development Planning Commission Article 14- Map 3
 with ZA-21-09 expanded shopfront as proposed

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
Brynne Martin

Burlington Planning Commission

Tuesday, July 13, 2021, 6:30 P.M.

Remote Meeting via Zoom, with City Hall In-Person Option

Draft Minutes

Members Present	B Baker, A Friend, E Lee, M Gaughan, B Martin
Staff Present	D White, M Tuttle
Attendance	R Scully, J Caulo, S Bushor, C Hilliard, K Devine, L Campriello, D Caulo, E Caulo, T Sarandos

I. Agenda

Call to Order	Time: 6:32pm
Agenda	Postpone Item V to July 27 meeting

II. Public Forum

Name(s)	Comment
	No comments

III. Chair Report

B Baker	Welcome to the new Planning Commissioners Brynne Martin and Michael Gaughan
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IV. Director's Report

D White	City Council approved FY22 budget on Jun 28. Department now has two new members from the I&T team. Offices are now open to the public with new security features; make an appointment to meet with us in-person.
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V. Annual Organizational Meeting

Action: Postponed to July 27 meeting		
Motion by:	Second by:	Vote:
Type:	Presented by:	

VI. Presentation & Proposed E-LM Amendment by Hula

Action: Request staff to review proposal and bring recommendation to Planning Commission		
Motion by: E Lee	Second by: A Friend	Vote: Unanimous
Type: Presentation, Discussion	Presented by: R Scully, J Caulo	
Representatives from Hula presented a proposed zoning amendment to create a Neighborhood Activity Center in the area of the E-LM district near the intersection of Pine St & Lakeside Ave. The presentation slides can be found online at: https://www.burlingtonvt.gov/CityPlan/PC/Agendas .		

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.

Commission Discussion included:

- Commissioners were generally supportive of the concept presented by Hula representatives. However, it was noted that housing was originally envisioned in the planBTV: South End process, but removed due to intense backlash.
- Commissioners noted that transit connections, especially for job growth; housing of all types, tenures, and particularly affordable housing; and replacing surface parking with spaces for housing, jobs, and to improve stormwater were all positive aspects of what was proposed.
- In response to a question about why Hula is pursuing this request, representatives noted that they wish to build on economic development being built at Hula's site, bring more opportunities for employees to live close to work, reverse challenges around cost of living and low vacancy rates, and provide housing for low-income, early professional, and retail/service employees.
- A Commissioner suggested that rezoning this area might present an opportunity to focus more on form than the prescriptive nature of some of the NAC zones elsewhere in the city.
- In response to a question about why the boundaries for this zoning amendment were proposed, Hula representatives indicated the focus was on vacant and underutilized properties, including where other property owners share an interest in exploring policy changes, but didn't want to be too expansive and include properties that might feel pressure to change their use.
- Staff noted that planBTV envisions an innovation district in this area, as one of three "sub-areas" the Enterprise District. It was noted that this area has the most open-ended opportunity to be re-envisioned, but also where the most difficult decisions about the future of the district were likely to focus. It may be the most appropriate location to consider housing, but we also need to understand what makes sense at the edges, and consider the long-discussed questions of what happens in the rest of this district. Helpful that some of the footwork has already been done by Hula Representatives, and while not entirely sure an NAC the way currently proposed makes sense, it directionally makes sense.

VII. Commissioner Items

- Commissioner Lee recommend that the city change policy to enable property owners to purchase their own recycling totes, since the City is unable to supply them to meet demand.
- Commissioner Lee requested more information about how many short-term rentals have been permitted, what units they've replaced, and why Housing Replacement Fees have not been paid. Staff provided some information on the Housing Replacement policy, and indicated more research would be needed into the question of other permitted STRs.
- Next Meetings are on July 27 and Aug 10 at 6:30pm.

VIII. Minutes and Communications

Action: Approve the minutes and accept the communications

Motion by: A Friend

Second by: E Lee

Vote: Approved by Lee, Friend, Baker.
Gaughan, Martin abstain.

Minutes Approved: June 22, 2021

Communications Filed:

- Enclosed in agenda packet, and additional communications posted online

IX. Adjourn

Adjournment

Time: 7:50pm

Motion: A Friend

Second: M Gaughan

Vote: Approved Unanimously



LAND USE PERMIT AMENDMENT

State of Vermont
Natural Resources Board
District 4 Environmental Commission
111 West Street
Essex Junction, VT 05452
<https://nrb.vermont.gov/>

[phone] 802-879-5614

CASE NO: 4C0051-3

City of Burlington Parks, Recreation &
Waterfront
645 Pine Street
Burlington, VT 05401

LAWS/REGULATIONS INVOLVED

10 V.S.A. §§ 6001 - 6111 (Act 250)

The District 4 Environmental Commission hereby issues Land Use Permit Amendment #4C0051-3, pursuant to the authority vested in it by 10 V.S.A. §§ 6001-6111. This permit amendment applies to the lands identified in Book 205, Page 239; and Book 361, Page 776, of the land records of the City of Burlington, Vermont, as the subject of deeds to the City of Burlington.

This permit specifically authorizes the rehabilitation of the existing multi-use path through Oakledge Park and construction of a new universally accessible playground, path connections, 8 new universally accessible parking spaces, ADA compliant beach access, restroom improvements, landscaping, and lighting upgrades. The project is located on Flynn Avenue in Burlington, Vermont.

Jurisdiction attaches because the Project constitutes a material change to a permitted development or subdivision, and thus requires a permit amendment pursuant to Act 250 Rule 34.

1. The Permittee, and its assigns and successors in interest, is obligated by this permit to complete, operate and maintain the project as approved by the District 4 Environmental Commission (the "Commission") in accordance with the following conditions.
2. The project shall be completed, operated and maintained in accordance with the conditions of this permit and the permit application, plans, and exhibits on file with the Commission and other material representations.



The approved plans are:

“Site Plan for Oakledge Park,” dated 12/13/20 (Exhibit #004);
Sheet 18 - “Landscape Layout Plan,” dated 4/12/21 (Exhibit #010);
Sheet 26 - “Planting Plan,” dated 4/12/21 (Exhibit #012);
Sheet 1 - “VWP Impact Exhibit,” dated 5/18/21 (Exhibit #013a);
Sheet 41 - “EPSC Narrative (Sheet 1 of 2),” dated 4/13/21 (Exhibit #014);
Sheet 42 - “EPSC Narrative (Sheet 2 of 2),” dated 4/13/21 (Exhibit #015);
Sheet 43 - “EPSC Details,” dated 4/13/21 (Exhibit #016);
Sheet 44 - “EPSC Plans (Sheet 1 of 5),” dated 4/13/21 (Exhibit #017);
Sheet 45 - “EPSC Plans (Sheet 2 of 5),” dated 4/13/21 (Exhibit #018);
Sheet 46 - “EPSC Plans (Sheet 3 of 5),” dated 4/13/21 (Exhibit #019);
Sheet 47 - “EPSC Plans (Sheet 4 of 5),” dated 4/13/21 (Exhibit #020);
Sheet 48 - “EPSC Plans (Sheet 5 of 5),” dated 4/13/21 (Exhibit #021);
Sheet 18 - “Landscape Layout Plan,” dated 5/12/21 (Exhibit #024a);
Sheet 20 - “Landscape Layout Plan,” dated 4/12/21 (Exhibit #025);
Sheet 32 - “Traffic Sign Summary Sheet,” dated 4/13/21 (Exhibit #026);
Sheet 33 - “Sign Detail Sheet,” dated 4/13/21 (Exhibit #027);
“Signage for Playground,” dated 4/1/21 (Exhibit #028);
Sheet 31 - “Landscape Lighting Plan,” dated 5/12/21 (Exhibit #030a);
Sheet 31 - “Lighting Details,” dated 4/12/21 (Exhibit #031);
Sheet L1-1 - “Playground Lighting Plan,” dated 4/1/21 (Exhibit #032);
Sheet 27 - “Planting Plan,” dated 4/9/21 (Exhibit #033);
Sheet 27 - “Landscape Plan,” dated 4/12/21 (Exhibit #034);
Sheet L 1-1 - “Materials Plan,” dated 8/4/17, last revision 11/20 (Exhibit #035);
Sheet 13 - “Plan and Profile (Sheet 1 of 5),” dated 4/13/21 (Exhibit #037);
Sheet 14 - “Plan and Profile (Sheet 2 of 5),” dated 4/13/21 (Exhibit #038);
Sheet 15 - “Plan and Profile (Sheet 3 of 5),” dated 4/13/21 (Exhibit #039);
Sheet 16 - “Plan and Profile (Sheet 4 of 5),” dated 4/13/21 (Exhibit #040);
Sheet 17 - “Plan and Profile (Sheet 5 of 5),” dated 5/18/21 (Exhibit #041a);

- Sheet 5 - "Typical Sections (1 of 2)," dated 4/13/21 (Exhibit #045);
- Sheet 6 - "Typical Sections (2 of 2)," dated 4/13/21 (Exhibit #046);
- Sheet 21 - "Grading Plan," dated 5/12/21 (Exhibit #047a);
- Sheet L 3-1 - "Grading & Drainage Plan," dated 8/4/17, last revision 11/20 (Exhibit #048);
- "Illustrative Plan," dated 8/4/17, last revision 11/20 (Exhibit #050);
- Sheet 49 - "EPSC Plans (Sheet 5 of 5)," dated 5/18/21 (Exhibit #064);
- Sheet 27 - "Planting Plan," dated 5/12/21 (Exhibit #065); and
- Sheet 27B - "Riparian Planting Plan," dated 5/12/21 (Exhibit #066).
3. All conditions of Land Use Permit #4C0051 and amendments are in full force and effect except as further amended herein.
 4. The Permittee shall comply with all of the conditions of the following Agency of Natural Resources Permits:
 - a. Authorization of Notice of Intent (NOI #7213-9020.5) under Construction General Permit 3-9020 issued on May 18, 2021 by the ANR Watershed Management Division;
 - b. Authorization to Discharge Stormwater #7213-9050 under General Permit 3-9050 (3-Acre General Permit), issued on July 15, 2021 by the ANR Watershed Management Division; and
 - c. Individual Wetland Permit #202-453 issued on June 29, 2021 by the ANR Watershed Management Division.
 5. Any nonmaterial changes to the permits listed in the preceding condition shall be automatically incorporated herein upon issuance by the Agency of Natural Resources.
 6. Representatives of the State of Vermont shall have access to the property covered by this permit, at reasonable times, for the purpose of ascertaining compliance with Vermont environmental and health statutes and regulations and with this permit.
 7. A copy of this permit and plans shall be on the site at all times throughout the construction process.
 8. No change shall be made to the design, operation or use of this project without a permit amendment issued by the Commission or a jurisdictional opinion from the District Coordinator that a permit is not required.
 9. Pursuant to 10 V.S.A. § 8005(c), the Commission or the Natural Resources Board may at any time require that the permit holder file an affidavit certifying that the project is in compliance with the terms of this permit.

10. The conditions of this permit and the land uses permitted herein shall run with the land and are binding upon and enforceable against the Permittee and their successors and assigns.
11. The Permittee shall apply and maintain water and/or other agents approved by the Watershed Management Division in the Project's Erosion Prevention and Control Plan on all roadways or disturbed areas within the project during construction and until pavement and/or vegetation is fully established to control dust.
12. No new floor drains shall be installed without first obtaining a permit or submitting other necessary documentation, as required by the Vermont Department of Environmental Conservation.
13. The Permittee and all subsequent owners or lessees shall install and maintain only low-flow plumbing fixtures in any buildings. Any failed water conservation measures shall be promptly replaced with products of equal or better performance.
14. The Permittee shall comply with Exhibits #001b, 014-021, and 047a-048 (Revised Schedule B; EPSC Narratives and Plans (8); Pause Place Grading; and Playground Grading) for erosion prevention and sediment control. The Permittee shall prevent the transport of any sediment beyond that area necessary for construction approved herein. All erosion prevention and sediment control devices shall be periodically cleaned, replaced, and maintained until vegetation is permanently established on all slopes and disturbed areas.
15. All mulch, siltation dams, water bars and other temporary devices shall be installed immediately upon grading and shall be maintained until all roads are permanently surfaced and all permanent vegetation is established on all slopes and disturbed areas. Topsoil stockpiles shall have the exposed earth completely mulched and have siltation checks around the base.
16. All areas of disturbance must have temporary or permanent stabilization within 14 days of the initial disturbance. After this time, any disturbance in the area must be stabilized at the end of each workday. The following exceptions apply: i) Stabilization is not required if work is to continue in the area within the next 24 hours and there is no precipitation forecast for the next 24 hours. ii) Stabilization is not required if the work is occurring in a self-contained excavation (i.e., no outlet) with a depth of 2 feet or greater (e.g., house foundation excavation, utility trenches).
17. All disturbed areas of the site shall be stabilized, seeded, and mulched immediately upon completion of final grading. All disturbed areas not involved in winter construction shall be mulched and seeded before October 15. Between the periods of October 15 to April 15, all earth disturbing work shall conform with the "Requirements for Winter Construction" standards and specifications of the Vermont Department of

Environmental Conservation's *Low Risk Site Handbook for Erosion Prevention and Sediment Control* (February 2020).

18. Prior to construction of the approved work, the Permittee shall: a) clearly delineate the construction limits with flagging or snow fencing; b) place diversion ditches on the uphill limits of the construction area; and c) place temporary siltation controls on the downhill limits of construction.
19. Starting at the commencement of construction, a Professional Engineer or other soil erosion expert approved in writing by the District Commission shall inspect the site at least once per week and at critical times until the project is completed to ensure that the erosion prevention and sediment control plans are being followed. He or she shall certify by submitting a monthly site inspection report to the Commission that all erosion prevention and sediment controls are in place as specified and approved herein, properly maintained, and effective. Any corrective measures noted by the Professional Engineer shall be implemented immediately.
20. In addition to conformance with all erosion prevention and sediment control conditions, the Permittee shall not cause, permit or allow the discharge of waste material into any surface waters. Compliance with the requirements of this condition does not absolve the Permittee from compliance with 10 V.S.A. (§§ 1250-1284) Chapter 47, Vermont's Water Pollution Control Law.
21. The Permittee shall implement the Riparian Planting Plan (Exhibit #066) as part of project construction. Except for the existing and proposed improvements and vegetation management activities described in the Riparian Planting Plan, the Permittee shall maintain an undisturbed, naturally vegetated riparian buffer zone along the stream immediately north of the beach access. The riparian buffer zone shall be measured inland, perpendicular to, and horizontally 50 feet from the top-of-bank or, in areas where a wetland is contiguous to the stream, from the upland edge of the delineated wetland, and extend to the water's edge at base flow conditions. The term "undisturbed" means no activities that may cause or contribute to ground or vegetation disturbance, or soil compaction, including but not limited to construction; earth-moving activities; storage of materials; tree trimming or canopy removal; tree, shrub or groundcover removal; plowing or disposal of snow; grazing; and mowing. Exhibit #061a (May 26, 2021 ANR Supplemental Comments).
22. Any extracted stumps shall be disposed of on-site above the seasonal high water table and not in any wetland, or at a state-certified stump and inert waste disposal facility, so as to prevent groundwater pollution.
23. The Permittee and all assigns and successors in interest shall continually maintain the landscaping as approved in Exhibits #033-035, 065 and 066 (Planting Plans – Austin Drive; Planting Plans- Upper Parking Lot; Playground Landscaping Plan; Planting Plans

- Flynn Intersection; and Riparian Planting Plan) by replacing any dead or diseased plantings within the season or as soon as possible after the ground thaws, whichever is sooner.
24. Prior to any site work, the Permittee shall install and maintain temporary fencing along the tree line and around trees to be retained as depicted on Exhibits #033-035, 065 and 066.
 25. The Permittee shall collect sand under the proposed beach access to a depth of approximately three to six inches prior to construction and shall temporarily stockpile the collected sand during construction. After construction, the Permittee shall redistribute stockpiled sand adjacent to the beach access. Exhibit #061a (May 26, 2021 ANR Supplemental Comments).
 26. The installation of exterior light fixtures is limited to those approved in Exhibits #029-032 (BPRW Lighting Standards; Greenway Lighting Plans (2); and Playground Lighting Plan) and shall be mounted no higher than 14 feet above grade level. All exterior lighting shall be installed or shielded in such a manner as to conceal light sources and reflector surfaces from view beyond the perimeter of the area to be illuminated.
 27. The installation of exterior signage is limited to those approved in Exhibits #023-028 (BPRW Signage Standards; Greenway Signage Plans (4); and Playground Signage Plan). The Permittee shall not erect additional exterior signage without prior written approval from the District Coordinator or the Commission, whichever is appropriate under the Act 250 Rules. Signage includes banners, flags, and other advertising displays, excepting temporary real estate marketing signs and temporary Grand Opening signs.
 28. The Permittee shall provide each prospective purchaser of any interest in this Project a copy of the Land Use Permit Amendment before any written contract of sale is entered into.
 29. Pursuant to 10 V.S.A. § 6090(b)(1), this permit amendment is hereby issued for an indefinite term, as long as there is compliance with the conditions herein. Notwithstanding any other provision herein, this permit shall expire three years from the date of issuance if the Permittee has not commenced construction and made substantial progress toward completion within the three-year period in accordance with 10 V.S.A. § 6091(b).
 30. All site work and construction shall be completed in accordance with the approved plans by **October 1, 2024**, unless an extension of this date is approved in writing by the Commission. Such requests to extend must be filed prior to the deadline and approval may be granted without a public hearing.
 31. Failure to comply with any condition herein may be grounds for permit revocation pursuant to 10 V.S.A. sec. 6027(g).

Dated this 16th day of July, 2021.

By /s/Thomas A. Little
Thomas A. Little, Chair
District 4 Commission

Members participating in this decision:
Monique Gilbert
Pam Loranger

Any party may file a motion to alter with the District Commission within 15 days from the date of this decision, pursuant to Act 250 Rule 31(A).

Any appeal of this decision must be filed with the Superior Court, Environmental Division within 30 days of the date the decision was issued, pursuant to 10 V.S.A. Chapter 220. The Notice of Appeal must comply with the Vermont Rules for Environmental Court Proceedings. The appellant must file with the Notice of Appeal the relevant entry fee required by 32 V.S.A. § 1431.

The appellant must also serve a copy of the Notice of Appeal on the Natural Resources Board, 10 Baldwin Street, Montpelier, VT 05633-3201, and on other parties in accordance with Rule 5(b)(4)(B) of the Vermont Rules for Environmental Court Proceedings.

Decisions on minor applications may be appealed only if a hearing was held by the district commission. Please note that there are certain limitations on the right to appeal, including appeals from Administrative Amendments and interlocutory appeals. See 10 V.S.A. § 8504(k), 3 V.S.A. § 815, and Vermont Rule of Appellate Procedure 5.

For additional information on filing appeals, see the Court's website at:
<http://www.vermontjudiciary.org/GTC/environmental/default.aspx> or call (802) 951-1740. The Court's mailing address is: Vermont Superior Court, Environmental Division, 32 Cherry Street, 2nd Floor, Suite 303, Burlington, VT 05401.

Y:\NRB\Essex\DISTRICTS\DIST4\PROJECTS\300001-4C0250\4C0051\4C0051-3\Published Documents\District Commission Documents\4C0051-3 final permit.docx

Exhibit List

Application #	4C0051-3 (7/15/21)
Applicant(s)	City of Burlington Parks, Recreation & Waterfront (BPRW)
Landowner(s)	City of Burlington Parks, Recreation & Waterfront (BPRW)
Project Town(s):	Burlington



Natural Resources
Board

No.	Date Received (Office Use Only)	Document Name/Description	Submitted By (Office Use Only)
000		000 Exhibit List	
001	4/16/21	001 Act 250 Application; and cover letter	Applicant
001a	4/16/21	001a Act 250 Application Revised 4-16-21	Applicant
001b	4/20/21	001b Act 250 Application Revised 4-20-21	Applicant
002	4/16/21	002 Schedule G	Applicant
003	4/16/21	003 Location Map (12/13/2020)	Applicant
004	4/16/21	004 Site Plan (12/13/2020)	Applicant
005	4/16/21	005 Oakledge Adjoiner Mailing Labels and Project Adjoiner Map (04/01/2021)	Applicant
005a	4/20/21	005a Oakledge Adjoiner Mailing Labels and Project Adjoiner Map (04/20/2021)	Applicant
006	4/16/21	006 Municipal Impact Letter - DPW	Applicant
007	4/16/21	007 Municipal Impact Letter - Fire	Applicant
008	4/16/21	008 Municipal Impact Letter - BPD	Applicant
009	4/16/21	009 BPRW Restroom Standards	Applicant
010	4/16/21	010 Pause Place - Sheet 18 (04/12/2021)	Applicant
011	4/16/21	011 Correspondance - Lake Encroachment Permit	Applicant
012	4/16/21	012 Planting Plans- Flynn Intersection - Sheet 26	Applicant
013	4/16/21	013 Wetland Impact Exhibit - Sheet 1 (02-26-2021)	Applicant
013a	5/24/21	013a Wetland Impact Exhibit - Sheet 1 (Rev. 5-18-21)	Applicant
014	4/16/21	014 Erosion Control Narrative - Sheet 41 (04-13-2021)	Applicant
015	4/16/21	015 Erosion Control Narrative - Sheet 42 (04-13-2021)	Applicant
016	4/16/21	016 Erosion Control Narrative - Sheet 43 (04-13-2021)	Applicant

No.	Date Received (Office Use Only)	Document Name/Description	Submitted By (Office Use Only)
017	4/16/21	017 EPSC Plans - Sheet 44 (04-13-2021)	Applicant
018	4/16/21	018 EPSC Plans - Sheet 45 (04-13-2021)	Applicant
019	4/16/21	019 EPSC Plans - Sheet 46 (04-13-2021)	Applicant
020	4/16/21	020 EPSC Plans - Sheet 47 (04-13-2021)	Applicant
021	4/16/21	021 EPSC Plans - Sheet 48 (04-13-2021)	Applicant
022	4/16/21	022 Playground Perspective Rendering	Applicant
023	4/16/21	023 BPRW Signage Standards	Applicant
024	4/16/21	024 Greenway Signage Plan- Sheet 18 (04-12-2021)	Applicant
024a	5/24/21	024a Greenway Signage Plan- Sheet 18 (Rev. 5-12-21)	Applicant
025	4/16/21	025 Greenway Signage Plan- Sheet 20 (04-12-2021)	Applicant
026	4/16/21	026 Greenway Signage Plan- Sheet 32 (04-12-2021)	Applicant
027	4/16/21	027 Greenway Signage Plan- Sheet 33 (04-12-2021)	Applicant
028	4/16/21	028 Playground Signage Plan (04-01-2021)	Applicant
029	4/16/21	029 BPRW Lighting Standards	Applicant
030	4/16/21	030 Greenway Lighting Plan - Sheet 30 (04-12-2021)	Applicant
030a	5/24/21	030a Greenway Lighting Plan - Sheet 31 (Rev. 5-12-21)	Applicant
031	4/16/21	031 Greenway Lighting Plan - Sheet 31 (04-12-2021)	Applicant
032	4/16/21	032 Playground Lighting Plan - Sheet L1 (04-01-2021)	Applicant
033	4/16/21	033 Planting Plans- Austin Drive- Sheet 27 (04-12-2021)	Applicant
034	4/16/21	034 Planting Plans- Upper Parking Lot - Sheet 27 (04-12-2021)	Applicant
035	4/16/21	035 Playground Landscaping Plan	Applicant
036	4/16/21	036 Greenway Limits of Work - Sheet 1 (04-13-2021)	Applicant
037	4/16/21	037 Greenway Limits of Work - Sheet 13 (04-13-2021)	Applicant
038	4/16/21	038 Greenway Limits of Work - Sheet 14 (04-13-2021)	Applicant
039	4/16/21	039 Greenway Limits of Work - Sheet 15 (04-13-2021)	Applicant
040	4/16/21	040 Greenway Limits of Work - Sheet 16 (04-13-2021)	Applicant
041	4/16/21	041 Greenway Limits of Work - Sheet 17 (04-13-2021)	Applicant
041a	5/24/21	041a Greenway Limits of Work - Sheet 17 (Rev. 5-18-21)	Applicant
042	4/16/21	042 Burlington Greenway EOF 2019	Applicant
043	4/16/21	043 Primary Agricultural Soils Map for PAS Analysis	Applicant

No.	Date Received (Office Use Only)	Document Name/Description	Submitted By (Office Use Only)
044	4/16/21	044 Existing Site Conditions Photos	Applicant
045	4/16/21	045 Greenway Typical Sections - Sheet 5 (04-13-2021)	Applicant
046	4/16/21	046 Greenway Typical Sections - Sheet 6 (04-13-2021)	Applicant
047	4/16/21	047 Pause Place Grading - Sheet 21 (04-12-2021)	Applicant
047a	5/24/21	047a Pause Place Grading - Sheet 21 (Rev. 5-12-21)	Applicant
048	4/16/21	048 Playground Grading	Applicant
049	4/16/21	049 Playground Rendered Plan	Applicant
050	4/16/21	050 Playground Illustrative Plan	Applicant
051	4/16/21	051 4C0051 Permit-1972	Applicant
052	4/16/21	052 4C0051 Plan-1972	Applicant
053	4/16/21	053 4C0051-1 Permit-1978	Applicant
054	4/16/21	054 4C0051-1 Plan-1978	Applicant
055	4/16/21	055 4C0051-2 Permit-1987	Applicant
056	4/16/21	056 4C0051-2 Plan-1987	Applicant
057	4/16/21	057 Stormwater Construction Discharge General Permit Application	Applicant
058	4/16/21	058 Vermont Wetlands Permit Application	Applicant
059	4/16/21	059 AAFM Correspondance (4/16/21)	Applicant
060	4/20/21	060 Oakledge Pk Playground Ph1 SOW VDHP Concur	Applicant
061	5/14/21	061 ANR Entry of Appearance Comments (5/14/21)	ANR
061a	5/26/21	061a ANR Supplemental Comments (5/26/21)	ANR
062	5/17/21	062 VDHP Entry of Appearance Preliminary Comments (5/14/21)	DHP
063	5/24/21	063 Cover Letter re Response to ANR Comments of 5-14-21 & Teleconference of 5-17-21	Applicant
064	5/24/21	064 EPSC Plans - Sheet 49 (Rev. 5-18-21)	Applicant
065	5/24/21	065 Planting Plans - Flynn Intersection - Sheet 27 (Rev. 5-12-21)	Applicant
066	5/24/21	066 Riparian Planting Plan (5-21-21)	Applicant
067	6/17/21	067 End-of-Field Letter Report for Archaeological Phase I Site Identification Survey Revised 6-2-21	Applicant
068	6/18/21	068 VDHP Comment Letter (6/18/21)	DHP
069	6/30/21	069 Individual Wetland Permit #202-453 Issued 6-29-2021	Applicant
070	7/15/21	070 Operational Stormwater Permit #7213-9050 Issued 7-15-2021	Applicant
071		071	

CERTIFICATE OF SERVICE

I hereby certify on this 16th day of July, 2021, a copy of the foregoing ACT 250 LAND USE PERMIT #4C0051-3, was sent by U.S. mail, postage prepaid to the following individuals without email addresses and by email to the individuals with email addresses listed.

Note: any recipient may change its preferred method of receiving notices and other documents by contacting the District Office staff at the mailing address or email below. If you have elected to receive notices and other documents by email, it is your responsibility to notify our office of any email address changes. All email replies should be sent to NRB.Act250Essex@vermont.gov

City of Burlington Parks, Recreation, & Waterfront
c/o Sophie Sauve
645 Pine Street
Burlington, VT 05401
ssauve@burlingtonvt.gov

Global Petroleum
2 Flynn Avenue
Burlington, VT 05401
sdecell@globalp.com

Katherine Schadt, City Clerk
Chair, Selectboard/Chair, Planning Commission
City of Burlington
149 Church Street
Burlington, VT 05401
burlingtontownclerk@burlingtonvt.gov;
lolberg@burlingtonvt.gov

Chittenden County Regional Planning Commission
110 West Canal Street, Suite 202
Winooski, VT 05404
permitting@ccrprcvr.org

Agency of Natural Resources
1 National Life Drive, Davis 2
Montpelier, VT 05602-3901
ANR.Act250@vermont.gov

Dept. of Public Service
112 State Street, Drawer 20
Montpelier, VT 05620-2601
barry.murphy@vermont.gov; PSD.VTDPS@vermont.gov

VTrans Policy, Planning & Research Bureau
Barre City Place
219 N. Main Street
Barre, VT 05641
AOT.Act250@vermont.gov

Agency of Agriculture, Food & Markets
116 State Street, Drawer 20
Montpelier, VT 05620-2901
AGR.Act250@vermont.gov

Division for Historic Preservation
National Life Building, Drawer 20
Montpelier, VT 05620
scott.dillon@vermont.gov; james.duggan@vermont.gov
ACCD.ProjectReview@vermont.gov

FOR YOUR INFORMATION

District #4 Environmental Commission
Thomas Little, Chair
Monique Gilbert/Pam Loranger
111 West Street
Essex Junction, VT 05452

Dated at Essex Junction, Vermont, this 16th day of July, 2021.



Jessica Mason
Natural Resources Board Technician
802-879-5614
Jessica.Mason@vermont.gov

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Burlington Planning Commission

149 Church Street
Burlington, VT 05401
www.burlingtonvt.gov/pz
Phone: (802) 865-7144

Andy Montroll, Chair
Bruce Baker, Vice Chair
Yves Bradley
Alex Friend
Michael Gaughan
Emily Lee
Brynne Martin

PUBLIC HEARING NOTICE

Burlington Comprehensive Development Ordinance Amendment

ZA-21-07: Height Measurements, Dormers & Eaves

ZA-21-08: Act 179 Changes to Ch. 117

ZA-21-09: Updates and Corrections to Article 14

Pursuant to 24 V.S.A. §4441 and §4444, notice is hereby given of a public hearing by the Burlington Planning Commission to hear comments on the following proposed amendments to the City of Burlington's *Comprehensive Development Ordinance* (CDO). The public hearing will take place during the Planning Commission meeting on **Tuesday, July 27, 2021, with the hearing starting at Time Certain 6:45pm**. You may access the hearing/meeting as follows:

To join virtually from a Computer, please click this URL to join, and enter the Webinar ID if prompted:

Link: <https://us02web.zoom.us/j/88316224232> **Webinar ID:** 883 1622 4232

To join virtually by phone, dial this number and enter the Webinar ID when prompted:

Number: +1 312 626 6799 **Webinar ID:** 883 1622 4232

To join the meeting in person:

Sharon Bushor Room, Room 102, City Hall, 149 Church Street, Burlington, VT 05401

Pursuant to the requirements of 24 V.S.A. §4444(b):

Statement of purpose:

The purpose of the proposed amendments are as follows:

- **ZA-21-07:** To clarify building height measurements, when and how dormers affect building height, and defines dormers and eaves.
- **ZA-21-08:** To incorporate recent changes to state enabling statute regarding ADU's, existing small lots, and small multi-unit dwellings.
- **ZA-21-09:** To make a range of corrections and updates to Article 14 based on its application.

Geographic areas affected:

These amendments apply to the following areas of the city:

- **ZA-21-07:** All areas and zoning districts within the city.
- **ZA-21-08:** All areas and zoning districts within the city.
- **ZA-21-09:** Form Districts 5, 6, and Civic located in the downtown area of the city.

List of section headings affected:

The proposed amendments modify the following sections of the *Burlington Comprehensive Development Ordinance*:

- **ZA-21-07:** Modifies *Sec. 5.2.6 (a) 1.*; adds *Sec. 5.2.6(a) 2.D* and *Sec. 5.2.6 (b)*; Modifies *Sec. 6.3.2. (a) 2.*; and Modifies *Article 13: Definitions*
- **ZA-21-08:** Modifies *Sec. 5.2.1*; Modifies *Sec. 5.4.5*; Modifies *Sec.13.1.2*; and Modifies *Appendix A- Use Table*

ZA-21-07, 21-08, 21-09

- **ZA-21-09:** Modifies *Sec. 14.1.3; Sec 14.3.4-C; Sec.14.3.4-E; Sec.14.3.4-F; Sec.14.3.4-G; Sec 14.3.5-C; Sec.14.3.5-E; Sec.14.3.5-F; Sec.14.3.5-G; Creates Sec. 14.3.6.-I Water Dependent; Modifies Sec. 14.4.13; Sec. 14.5.15; Sec. 14.6.4; Sec. 14.6.7; Sec. 14.6.8; Sec. 14.7.1; Sec. 14.7.2; Sec. 14.7.3; and Sec. 14.8; and Modifies Article 14- Map 3 Shopfront Required*

The full text of the *Burlington Comprehensive Development Ordinance* is available online at www.burlingtonvt.gov/DPI/CDO. The proposed amendment can be reviewed in hard copy posted on the first floor of City Hall, 149 Church Street, Burlington or online at <https://www.burlingtonvt.gov/DPI/CDO/Amendments>

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
Brynne Martin

Regular Meeting Burlington Planning Commission

Tuesday, July 27, 2021, 6:30 P.M.

Remote Meeting via Zoom

In-person option available at:

Bushor Conference Room (Room 102), 1st Floor of City Hall, 149 Church St.

To Join the Meeting on a Computer

Link: <https://us02web.zoom.us/j/88316224232>

To Join the Meeting on a Phone

Number: +1 312 626 6799 Meeting ID: 883 1622 4232

AGENDA

I. Agenda

II. Chair's Report

III. Director's Report

IV. Public Forum

V. Public Hearing: Proposed CDO Amendment ZA-21-07 Heights, Dormers & Eaves (Time Certain: 6:45pm)

The Commission will hold a public hearing on a proposed amendment to the Burlington *Comprehensive Development Ordinance* regarding height measurements, dormers and eaves. Information related to this item is in the agenda packet on page 6.

Staff Recommendation: Approve staff changes to proposed amendment, re-approve Municipal Bylaw Amendment report and refer to Council with recommendation.

VI. Public Hearing: Proposed CDO Amendment ZA-21-08 Act 179 Changes

The Commission will hold a public hearing on a proposed amendment to the Burlington *Comprehensive Development Ordinance* resulting from Act 179 of the 2020 VT Legislative session. Information related to this item is in the agenda packet on page 12.

Staff Recommendation: Approve Municipal Bylaw Amendment report and refer to Council with recommendation.

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

VII. Public Hearing: Proposed CDO Amendment ZA-21-09 Updates & Corrections to Article 14

The Commission will hold a public hearing on a proposed amendment to the Burlington *Comprehensive Development Ordinance* regarding updates and corrections to Article 14. Information related to this item is in the agenda packet on page 17.

Staff Recommendation: Approve Municipal Bylaw Amendment report and refer to Council with recommendation.

VIII. Annual Organizational Meeting

The Planning Commission will elect officers and appoint members to its committees to serve for FY2022.

Election of Officers: Chair & Vice Chair

- Election of Executive Committee At- Large Member
- Appointment of Commission Clerk: Meagan Tuttle
- Appointment of Committees:
 - Long Range Planning Committee
 - One member of the PC Executive Committee and Two At-Large Members
 - One member of the DRB
 - Nominee:
 - One member of the Conservation Board.
 - Nominee: Ryan Crehan
 - Ordinance Committee
 - One member of PC Executive Committee and Two At-Large Members
 - Two additional members from DRB, DAB, or CB.
 - DAB Nominee: Jay White; DRB Nominee:

Planning Commission bylaws are enclosed for reference in the agenda packet on page 39.

IX. Commissioner Items

- a. Upcoming Meetings –
 - i. Tuesday, August 10, 2021 at 6:30pm (TBD)
 - ii. Tuesday, August 24, 2021 at 6:30pm

X. Minutes & Communications

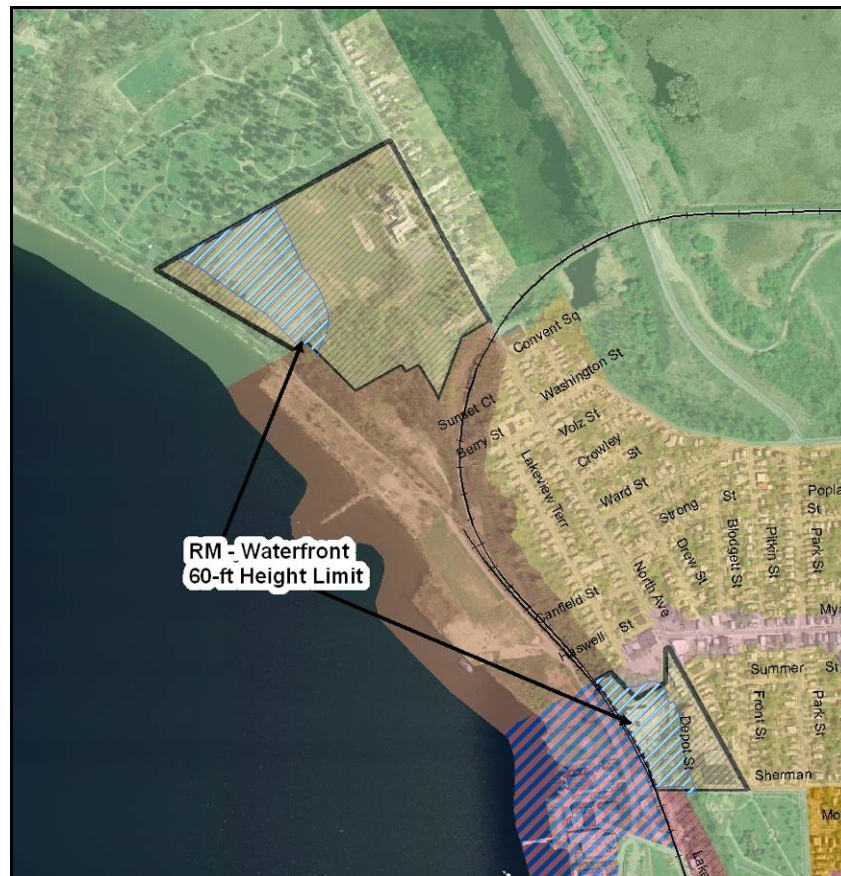
- a. The minutes of the July 13, 2021 meeting are enclosed in the agenda packet on page 45.
- b. Communications are enclosed in the agenda packet on page 47.

XI. Adjourn

2. Height

A. Exceptions in the Waterfront RM District.

In order is to preserve vistas of harbor activity within the breakwater area and to panoramic views of the mountain and lake from adjoining areas yet provide for additional development opportunities near the downtown area of the city, the maximum building height which may be permitted by the DRB shall be no more than sixty (60) feet in the area beyond two hundred (200) feet inland from the ordinary high water mark and below a base elevation of one hundred eighty (180) feet in the Waterfront Residential – Medium Density district.



Map 4.4.5-2 Waterfront RM Height Exceptions

3. Lot Coverage

A. Exceptions for Accessory Residential Features.

In the RL, RL-W, RM and RM-W districts, an additional ten (10) per cent of lot coverage above the otherwise applicable limit may be permitted for the following amenity features accessory to residential uses provided that such features shall at no time be enclosed or be used for parking:

- (i) Decks;
- (ii) Patios;

(e) Supporting the Use of Renewable Energy Resources:

Where feasible, the site plan should be so designed as to take advantage of the site's inherent potential to utilize sources of renewable energy including direct sunlight, wind, or running water. The site plan should also incorporate site planning and landscaping decisions intended to minimize energy demand such as siting buildings to maximize solar access or the use of deciduous and coniferous trees to create shade and windbreak.

Buildings should, where appropriate within the context of the neighborhood development pattern, maximize their solar exposure by being oriented to maximize natural light and heat gain during winter months, and to minimize casting shadows into ground floor living space of a building on an adjacent property.

(f) Brownfield Sites:

Where a proposed development involves a known or suspected brownfield, the site plan shall indicate areas of known or suspected contamination, and the applicant shall identify completed or planned remediation necessary to support the intended use(s).

(g) Provide for nature's events:

Special attention shall be accorded to stormwater runoff so that neighboring properties and/or the public stormwater drainage system are not adversely affected. All development and site disturbance shall follow applicable city and state erosion and stormwater management guidelines in accordance with the requirements of Art 5, Sec 5.5.3.

Design features which address the effects of rain, snow, and ice at building entrances, and to provisions for snow and ice removal or storage from circulation areas shall also be incorporated.

(h) Building Location and Orientation:

The introduction of new buildings and additions shall maintain the existing development pattern and rhythm of structures along the existing streetscape. New buildings and additions should be aligned with the front façade of neighboring buildings to reinforce the existing "street-edge," or where necessary, located in such a way that complements existing natural features and landscapes. Buildings placed in mixed-use areas where high volumes of pedestrian traffic are desired should seek to provide sufficient space (optimally 12-15 feet) between the curblane and the building face to facilitate the flow of pedestrian traffic. In such areas, architectural recesses and articulations at the street-level are particularly important, and can be used as an alternative to a complete building setback in order to maintain the existing street wall.

Principal buildings shall have their main entrance facing and clearly identifiable from the public street. The development of corner lots shall be subject to review by the city engineer regarding the adequacy of sight distances along the approaches to the intersection. To the extent practicable, development of corner

Timeline for 120 Depot St Activities

Red – Planning and Zoning Activity

Black - 120 Depot St Activity

Blue – Relevant comments

4Feb21 - Planning Commission Mtg discussed building ht. measurements (See attached Doc. #1)

4Mar21 - Planning Commission Mtg further discussions regarding building ht. measurements (See Docs #2 & 3)

21April21 – Letter from Planning & Zoning to Planning Commission: Proposed CDO Amendment for Ht. Measurement. (See doc #4)

27April21 – Planning Commission Mtg to discuss proposed amendment to height measurement. Recommends Approval and warn for Public Hearing) (See Docs #5 & 6)

16June21 – Signed a contract with contingencies for purchase of property.

21June21 - Stopped in at Zoning office, met with Scott Gustin. Discussed the site and its associated challenges for development. He stated he was very familiar with the site, having had several different parties looking into developing it. When I showed him the preliminary drawings of our design, he stated that it looked like the design was “appropriate to the site”. (Scott made no mention of the public hearing scheduled for the next day).

22June21 – Public Hearing on Height Measurement Amendment (See Doc #6)

29June21 – Began communications with Mary O’Neil, Scott Gustin, BED and Caleb Mana regarding development of the lot

21July21 – Planning & Zoning letter regarding AmendmentZA-21-07 Height Measurement (See Doc# 7)

27July21 – Planning Commission Mtg. & Public Hearing on Height Measurements (See Docs # 8 & 9)

29June21 – 4Aug21 - Continued conversations with Zoning, DPW, BED, engineers and contractors to make certain we had a viable plan for moving forward.

4Aug21 – Variance for set-back approved by DRB

19Aug21 - Closed on property

26Aug21 – Received Z- Card for building permit (At no time, thru all our discussions, did anyone mention the ongoing revision process for the height formula)

Aug21 thru May22- Completed Architectural drawings, worked on engineering structure and various permits for utilities.

6April22 – Amended Height Ordinance Published

16May22 – Completed building permit application

2July22 thru 8Aug - worked with Ryan Morrison and DAB to refine plan for presentation to DRB. Completed soil engineering/boring

14July22 - During this process, met with Ryan and Scott to discuss the need for the second level to be forward of the garage level, asked Scott if the gap between the garage level and the next level would be acceptable/conform to the regulations, he said it would.

8Aug22 - Ryan indicated it was ready for DRB on the 8th of Aug

9Aug2 - Email from Ryan indicating that, unbeknownst to him, the height regulations had changed and my design would not meet the new codes.

9Aug thru12Aug – Discussions with Ryan. He indicated that the date of a completed application rather than the initial date of application was used to determine the codes to be applied. He also indicated that I would likely not be successful using a variance to address the height issue. Ryan also mentioned that I could request the application be sent to the DRB since the final decision was their call and they had the discretion to allow the design or not. I asked him to go ahead and send it along, as I didn't seem to have any other options and it seemed like a reasonable expectation that they would allow it based on the circumstances.

6Sept22 – Online DRB meeting. Significant portion of the meeting involved discussion of issues that were not relevant to the agenda. I didn't do a particularly good job of presenting my "case". (I am more effective working with folks in person) There seemed to be very little discussion during the deliberative session. I was anticipating the application to be tabled with a request for more information and was dismayed to have the application rejected outright.

Burlington Development Review Board

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

Brad Rabinowitz
AJ LaRosa
Geoffrey Hand
Brooks McArthur
Kienan Christianson
Caitlin Halpert
Chase Taylor
Sean McKenzie (Alt.)



Burlington Development Review Board

Findings of Fact Deliberative Hearing Tuesday, August 2, 2021

In RE: 21-508; 31 North Avenue (Ward 3C, RM) (Tax Lot No. 043-3-188-000)

Owner/Applicant: Wendy Hakken / Steve Trombley

Request: Variance from front yard setback on existing vacant lot.

Members Present:

Brad Rabinowitz
Geoff Hand
Brooks McArthur
Kienan Christianson
Chase Taylor
Sean McKenzie

Evidence Presented:

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

I. FINDINGS

Background Information:

The applicant is seeking a variance from the applicable front yard setback on an existing vacant lot. The subject property fronts on Depot Street, but all of its neighboring properties front on both North Avenue and Depot Street. The buildings on these neighboring properties are set close to North Avenue and relatively far from Depot Street and, therefore, create a prohibitive front yard setback requirement for the subject property.

No development is included in this application. The variance is sought as a precursor to a potential single family home to be filed under separate permit application if the variance is granted.

An identical variance was approved in 2014. It was extended and ultimately expired without any subsequent development of the property.

Previous zoning actions for this property are as follows:

- 10/24/14, Approval of variance from front yard setback

- 12/18/97, Application for, and subsequent withdrawal of, permit to construct home

Article 12: Variances and Appeals

Sec. 12.1.1 Variances

(a) That there are unique physical circumstances or conditions, including irregularity, narrowness, or shallowness of lot size or shape, or exceptional topographical or other physical conditions peculiar to the particular property, and that unnecessary hardship is due to such conditions, and not the circumstances or conditions generally created by the provisions of the zoning regulation in the neighborhood or district in which the property is located.

The lot is small at just 4,180 sf and 44' of road frontage. The lot is also steeply pitched except for the upper, easternmost end. The requested variance, however, does not relate to these particular characteristics. The subject property is the only one along the eastern side of Depot Street that does not also front on North Avenue. The buildings on these other properties are set close to North Avenue with relatively deep setbacks from Depot Street. The variance is requested because of the way the front yard setback is calculated per Table 4.4.5-3: *Residential District Dimensional Standards*. The front yard setback is based on the average of 2 adjacent lots on both sides of the subject lot, +/- 5'. In this case, the front yard setback is based on the average of three properties at 33, 55, and 1 North Avenue. These properties all have two front yards – on North Avenue and on Depot Street. Their front yard setbacks along Depot Street are 63', 56', and 116', respectively. The average of these setbacks is 78'. A 78' (+/- 5') on a 95' – 114' deep lot, combined with a rear yard setback of 25% results in an unbuildable lot. Compliance with the front yard setback is impossible. **(Affirmative finding)**

(b) That because of such physical circumstances or conditions, there is no possibility that the property can be developed in strict conformity with the provisions of the zoning regulation and that the authorization of a variance is, therefore, necessary to enable the reasonable use of property.

As noted above, a 78' (+/- 5') front yard setback combined with a 25% rear yard setback results in virtually no building envelop. Compliance with the front yard setback is impossible. **(Affirmative finding)**

(c) The unnecessary hardship has not been created by the applicant.

The hardship relative to the front yard setback is related to the fact that front yard setback requirements are based on neighboring properties. It is not a hardship created by the applicant. **(Affirmative finding)**

(d) That the variance, if authorized, will not alter the essential character of the neighborhood or district in which the property is located, substantially or permanently impair the appropriate use or development of adjacent property, reduce access to renewable energy resources, nor be detrimental to the public welfare.

The variance from the requirements of the front yard setback would not alter the essential character of the neighborhood or district in which the subject property is located. The variance

would enable the construction of a single family home on a vacant lot located within the waterfront medium density residential zone. **(Affirmative finding)**

(e) That the variance, if authorized, will represent the minimum variance that will afford relief and will represent the least deviation possible from the zoning regulation and from the plan.

The requested 10' front yard setback allows for a reasonable building envelope and minimizes encroachment into the steep slope on the property. **(Affirmative finding)**

(f) The variance, if granted, will not result in the extension of a non-complying situation or allow the initiation of a nonconforming use of land.

The variance from the front yard setback requirement would not result in the extension of a noncomplying situation or allow a nonconforming use of land. The variance would simply enable the construction of a single family home. **(Affirmative finding)**

II. MINUTES

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

III. MOTION

Motion: Kienan Christianson

I move that the Board grant approval for a variance from the front yard setback on an existing vacant lot at 31 North Avenue based on the findings in Section I above and subject to the following conditions:

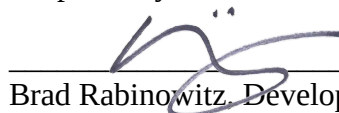
1. This variance approval is for relief from the front yard setback requirement of Table 4.4.5-3, *Residential District Dimensional Standards*.
2. No development is included in this approval. All development is subject to a separate zoning permit and must meet all other dimensional requirements.
3. Per Sec. 12.1.3, *Filing a Request, Public Hearing, and DRB Decision*, this variance approval shall be valid for a period of 2 years.

Seconded: Brooks McArthur

Vote: 6-0-0, motion carried

Dated at Burlington, Vermont, this 4th day of August, 2021

Respectfully Submitted,



Brad Rabinowitz, Development Review Board Chair

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

Steve & Andrea Trombley

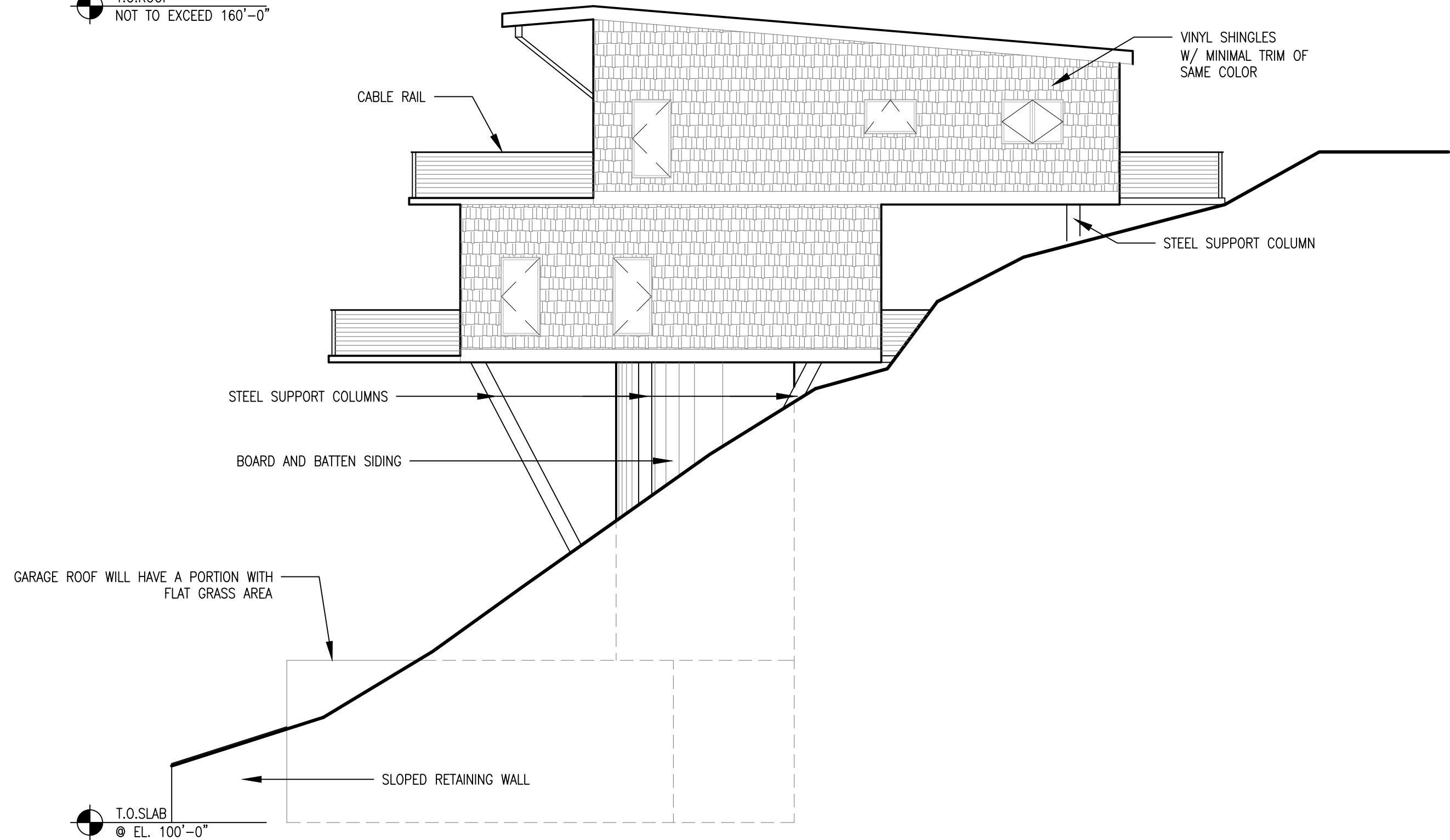
101 Collamer Circle
Shelburne, Vermont 05482
802-279-0278

4April23

Additional Comments

- 1) I had an expectation that this was a cooperative relationship and assumed the folks in Zoning and Planning would make me aware of any and all relevant information, including potential changes in ordinances that would affect my project. This has come to feel more like an adversarial process based on this experience.
- 2) If I had been made aware of the potential changes in the height ordinance, I could have easily completed the application process before the new ordinance was instituted, thereby eliminating this issue completely.
- 3) This is the least deviation, from the new ordinance, that allows us to build a house suitable to our needs. We have a special needs son that is likely to be living with us for the foreseeable future. This design was conceived with the intent to be as compact and efficient as possible while serving both our needs as a comfortable retirement home and our son's space requirements as a grown adult and his ability to function without the need to drive (near bus line and walking distance to many activities and services).
- 4) The design concept was intended to create an interesting and attractive house that pulled in the design features of the closest property on Depot St. The residential building at the top of Depot St. 85 North Ave. (See pictures attached). Design parameters also included,
 - Sized to be spacious enough for the three of us to live together comfortably, allow our other son and family to visit and to be able to entertain friends comfortably
 - Not buried in the ground,
 - High enough that people are not looking down into our living space when they walk by,
 - As high as possible to take best advantage of both passive and active solar,
 - Allow for maximum retainage of natural slope,
 - Maximize views of lake
- 5) We did a significant amount of upfront investigation to make certain we would be able to build something suitable to our needs prior to purchasing the property.
 - I contacted and met with the folks from the condo association adjoining the property, sharing my plans and intention, as I wanted to start the relationship with my potential neighbors on as positive note as possible.
 - I met with Scott Gustin to make certain there were no issues with what we were proposing.
 - I met with Caleb Manna at DPW and a BED representative to confirm the viability of the project.
 - Dug test holes on property to get an idea of the soil compositions and looked into any other potential issues with the location.
 - Applied for a renewal of an existing setback variance that was necessary to make the project viable.

T.O. ROOF
NOT TO EXCEED 160'-0"



GARAGE ROOF WILL HAVE A PORTION WITH
FLAT GRASS AREA

T.O. SLAB
@ EL. 100'-0"

SLOPED RETAINING WALL

1 SOUTH ELEVATION
1/8" = 1'-0"

DRB set Not for Construction

JPF Architecture, PLLC
Dubois & King, Inc.

Architect:
Engineer:

TROMBLEY RESIDENCE
120 Depot Street

SOUTH
ELEVATION

DATE
4.10.

SHEET NUMBER

A2.





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Job Posting for Associate Planner – Development Review at City of Burlington, Vermont

This position is responsible for assisting in the administration of the City's land use and development regulations. Responsibilities include processing zoning and subdivision applications, providing information and assistance to the public and permit applicants, and providing staff and technical support for the Development Review Board and its advisory boards.

Provide information and assistance to the public and applicants on subjects such as:

- zoning and subdivision permit applications, and submission requirements;
- zoning and subdivision permit application review process and applicable regulations;
- board meetings, decisions, and procedures;
- zoning complaints, permit compliance, violations and enforcement; and,
- City zoning ordinance, subdivision regulations, and municipal plans and policies.

Provide direction and assistance to applicants in meeting applicable regulatory requirements for proposed development, and in preparing the necessary submission materials required for a zoning or subdivision permit application.

Examine received permit application submission materials for completeness in accordance with applicable regulatory requirements and department procedures.

Conduct site visits as necessary.

Review and take the appropriate action, in consultation with other department staff as appropriate, on assigned permit applications in conformance with applicable regulatory requirements (including zoning, subdivision and impact fee regulations) and department procedures.

Enter and maintain permit application data in the permit system and/or other record keeping systems in accordance with department procedures.

Provide assistance as needed to the Housing Compliance and Inspection Services divisions of Permitting & Inspections in oversight of compliance with zoning regulations and permit conditions.

Provide assistance with preparation of agendas and notices in collaboration with the other department staff.

Provide assistance as needed at counter for customer service, application intake and permit issuance in accordance with department procedures (to include routing to or engaging building and trade specialists as needed).

Provide assistance as needed with maintaining departmental records and filing systems, including maintenance of applicable resolutions, ordinances, meeting minutes and other related material, in accordance with City retention requirements and storage schedule.

Provide assistance as needed in ensuring proper public notification of all public meetings of department-supported boards and commissions in accordance with department procedures.

Attend board meetings, hearings, and deliberative sessions as necessary.

Maintain positive and collaborative working relationships with other City and non-city departments and agencies involved in the development review and permitting process.

Maintain positive public relations in providing information, soliciting community input, and handling public concerns.

Non-Essential Job Functions:

Performs other duties as required.

Ad removed. [Details](#)

Ability to actively support City diversity, equity, and cultural competency efforts within stated job responsibilities and work effectively across diverse cultures and constituencies.

Demonstrated commitment to diversity, equity and inclusion as evidenced by ongoing trainings and professional development.

Proof of COVID-19 vaccination required, reasonable accommodations will be considered.

A Bachelor's Degree in Urban Planning, Geography, Architecture, Landscape Architecture, Engineering, Public Administration, Natural Resources, Historic Preservation or closely related field, and a minimum of two (2) years' experience in municipal planning including zoning administration is required.

Additional experience may be substituted for a degree requirement on a two-for-one year basis.

Ability to read and understand plats, plans, blueprints, elevations, photometric studies, landscaping plans, construction detail submissions, specification sheets, traffic studies, lighting plans, shading analyses, consultant reports, or other related documents.

Ability to obtain working knowledge of city development regulations (zoning and subdivision), and pertinent state and local regulations and statutes, and to read development plans and other technical planning documents is required.

Working knowledge of Geographic Information Systems, and other computer applications applied to planning practice, analysis, and research is required.

Ability to operate traditional office equipment including desktop and laptop computers and associated software, copiers, scanners, projectors, etc. and troubleshoot common problems as necessary.

Professionalism, tact, and discretion in addressing controversial and emotionally charged issues.

Ability to establish and maintain positive and effective employee and public relations, and in diffusing conflicts with and between applicants and affected residents.

Ability to work effectively with project applicants, city boards and commissions, and the public in a professional and courteous manner.

Ability to communicate effectively in writing, orally, and graphically and excellent interpersonal skills are required.

Ability to work as part of the customer service team in a fast-paced, complex, detail-oriented office environment that features many repetitive tasks and deadlines.

Ability to work independently, manage, and prioritize multiple initiatives, and to engage in collaborative decision-making.

Interest in contributing to the City of Burlington, and improving the quality and effectiveness of governmental services.

Commitment to on-going professional education and training to enhance job-based knowledge and expertise.

Regular attendance at evening meetings is required.

Regular attendance is necessary and is essential to meeting the expectations of the job functions.

Ability to understand and comply with City standards, safety rules and personnel policies.

Promoting a culture that reveres diversity and equity.

The City of Burlington is proud to be an equal opportunity employer, and we are strongly committed to creating a dynamic and equitable work-force that mirrors the population and world that we serve. We do not discriminate on the basis of political or religious affiliation, race, color, national origin, place of birth, ancestry, age, sex, sexual orientation, gender identity, marital status, crime victim status, veteran status, disability, HIV positive status, or genetic information in employment or the provision of services.

In addition to being an equal opportunity employer we actively encourage applicants who can contribute to our growing diversity to apply.

Applications for our employment opportunities are only accepted online through our Government Jobs website.

For accessibility information or alternative formats, please contact Human Resources Department at 802-540-3057 or careers@burlingtonvt.gov.

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Department of Permitting and Inspections

Zoning Division

645 Pine Street

Burlington, VT 05401

<http://www.burlingtonvt.gov/PZ/>

Telephone: (802) 865-7188

(802) 865-7195 (FAX)

William Ward, Director
Theodore Miles, Code Compliance Officer
Scott Gustin, AICP, CFM, Principal Planner
Mary O'Neil, AICP, Principal Planner
Garret King, Associate Planner
Joseph Cava, Planning Technician
Ted Boylan, Permit Administrator



MEMORANDUM

To: Development Review Board

From: Mary O'Neil, AICP, Principal Planner

Date: June 6, 2023

RE: ZP-23-205; 655 Spear Street

Note: These are staff comments only. Decisions on projects are made by the Development Review Board, which may approve, deny, table or modify any project. THE APPLICANT OR REPRESENTATIVE MUST ATTEND THE MEETING.

File: ZP-23-205

Location: 655 Spear Street

Zone: I **Ward:** 6S

Parking District: Shared Use

Date application accepted: May 2, 2023

Application revised: May 26, 2023

Applicant/ Owner: Claire Forbes / UVM

Request: Proposed construction of a parking lot (157 spaces, 12 of them for buses) with shed following the demolition and removal of the BioResearch Laboratory building. Request for 7% waiver for tree planting.

Background:

- **Zoning Permit 23-27;** Demolition, removal, and disposal of UVM's BioResearch Laboratory building. Site to be seeded and a silt fence installed to protect wetland buffer. February 2023.
- **Zoning Permit 96-446;** Installation of two 25'X 48'X 9' Greenhouses immediately to the north of the existing greenhouse for research and experimental purposes. April 1996.
- **Zoning Permit 93-014** Relocation of 18'X 48' (9' High) greenhouse from the Hills Science building to the Bio-Research complex near the Entomology Lab. July 1992.

Overview: The University of Vermont (UVM) is proposing the construction of a parking lot (157 spaces) at 655 Spear Street following the demolition and removal of the BioResearch Laboratory Building. A shed has been included to protect new electrical switchboard with bollards. The project will also include landscape improvements, a bioretention area, and a dry pond. This parking lot expansion is included in the Joint Institutional Parking Management Plan

655 Spear Street, BioResearch Complex Parking Lot Location Map



(JIPMP). The new parking area will contain spaces for buses (12), electric and motor vehicles. The majority of the spaces will be used for fleet vehicles.

Recommended motion: Certificate of Appropriateness Approval, per the following Findings and Conditions:

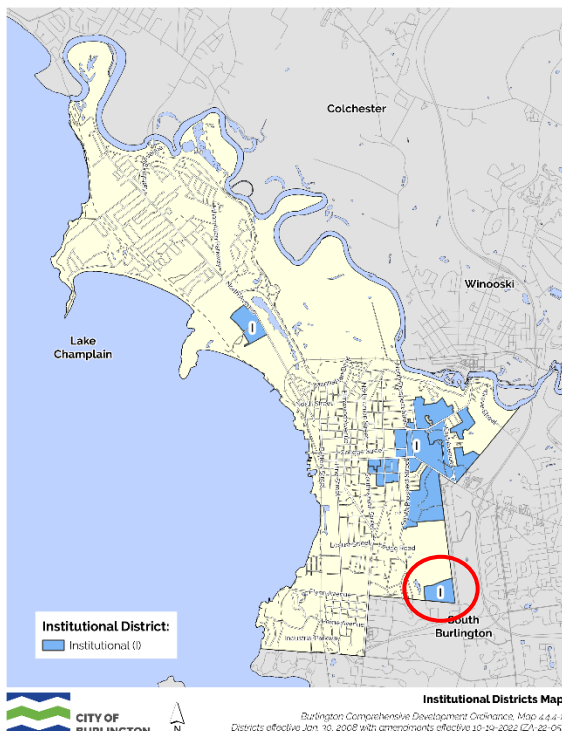
I. Findings

Article 4: Zoning Maps and Districts

Sec. 4.4.4 Institutional District

(a) Purpose:

*The **Institutional District (I)** as illustrated in Map 4.4.4-1 allows for increased development scale and intensity than would typically be found in the adjacent residential districts to support continued growth and flexibility of the city's major public and higher education and health care institutions within their respective institutional missions. New development is intended to be sensitive the historic development pattern of the existing campuses as well as the surrounding residential neighborhoods.*



This district is intended to support a broad range of related uses reflecting the resident institutions' roles as either regional education, health care, cultural and research centers or municipal educational facilities. Buildings should be designed with a high level of architectural detailing to provide visual interest and create enjoyable, human-scale spaces. Sensitive transitions between adjacent lower scale residential and open space areas and larger scale institutional development should be provided. Sites should be designed to be pedestrian friendly and encourage walking between buildings. Where parking is provided onsite, it is intended to be hidden behind, to the side, within, or underneath structures.

(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 4.4.4 -1 Dimensional Standards and Density

Districts			Building Setbacks ¹ (feet)	
-----------	--	--	---------------------------------------	--

	Max. Intensity	Max. Lot Coverage¹	Front²	Side³	Rear³	Max. Height¹ (feet)
Institutional	20 du/ac (24 du/acre with inclusionary req.)	40% (48% with inclusionary req.)	<u>Minimum:</u> 15-feet	10% of lot width <u>Min:</u> 5-ft <u>Max required:</u> 20-feet	25% of lot depth <u>Min:</u> 20-feet <u>Max required:</u> 75-feet	35'
655 Spear Street Application	n/a	10.97% existing 15.42% proposed	<u>n/a</u>	The parking lot exceeds 5' from any property line.	n/a	Shed is < 35' max.

1 –Measurement of and exceptions to coverage, setback and height standards are found in Art 5.

2 –The calculation of the front yard setback shall be a percentage of lot width and depth or as defined and described in Art 5.

3 – Maximum allowable lot coverage, setbacks and building height in portions of this district may be modified by the provisions of the Institutional Core Campus Overlays in Sec. 4.5.2, where applicable.

Affirmative finding.

(c) Permitted and Conditional Uses:

The principal land uses that may be permitted, or conditionally permitted pursuant to the requirements of Article 3, within the Institutional district shall be as defined in Appendix A – Use Table and as modified by provisions of the Institutional Core Campus Overlays in Sec. 4.5.2 where applicable.

The proposed addition of a large parking area is accessory to the existing institutional use. This location is not within any of the ICC (Institutional Core Campus) overlay districts. **Affirmative finding.**

Article 5: Citywide General Regulations

Section 5.2.1 Existing Small Lots.

Not applicable.

Section 5.2.2 Required Frontage or Access

No changes are proposed to access. Not applicable.

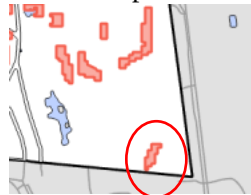
Section 5.2.3 Lot Coverage Requirements

See Table 4.4.4 -1, above.

Section 5.2.4 Buildable Area Calculation & Steep Slopes

Buildable Area is not applicable for this parcel.

There is a portion of the parcel that is identified as having Steep Slopes, however it is outside this area of development. **Affirmative finding.**



Section 5.2.5 Setbacks

The new parking area exceeds the minimum 5' setback from any property line. (Section 5.2.5 (b) 5.) **Affirmative finding.**

Section 5.2.6 Building Height Limits

The proposed shed will not exceed the maximum allowable height limit. **Affirmative finding.**

Section 5.2.7 Density and Intensity of Development Calculations

Not applicable.

Part 3: Non Conformities

Not applicable.

Sec. 5.4.8 Historic Buildings and Sites

Not applicable.

Article 6: Development Review

Part 1: Land Division Design Standards

No land division is proposed. Not applicable.

Part 2: Site Plan Design Standards

Sec. 6.2.2 Review Standards

(a) Protection of Important Natural Features:

The site is relatively flat and drains overland to the south towards an existing drainage swale which outlets to an open meadow south of the project, and also drains overland to the east towards an abutting Class II wetland. The project will protect the existing Class II wetland and wetland buffer based on consultation with a wetland specialist, Arrowwood Environmental, and will also install a silt fence for erosion control during construction and permanent buffer demarcation via boulders. **Affirmative finding.**

(b) Topographical Alterations:

Generalized site work is proposed; reference is made to Plan C 1.0 (Civil) for details. An Erosion Prevention and Sediment Control Plan is required; approval by the Stormwater Program engineer a condition of approval. **Affirmative finding as conditioned.**

(c) Protection of Important Public Views:

Not applicable.

(d) Protection of Important Cultural Resources:

Burlington's architectural and cultural heritage shall be protected through sensitive and respectful redevelopment, rehabilitation, and infill. Archeological sites likely to yield information important to the city's or the region's pre-history or history shall be evaluated, documented, and avoided whenever feasible. Where the proposed development involves sites listed or eligible for listing on a state or national register of historic places, the applicant shall meet the applicable development and design standards pursuant to Sec. 5.4.8(b).

Not applicable.

(e) Supporting the Use of Renewable Energy Resources:

Not applicable.

(f) Brownfield Sites:

Not applicable.

(g) Provide for nature's events:

Special attention shall be accorded to stormwater runoff so that neighboring properties and/or the public stormwater drainage system are not adversely affected. All development and site disturbance shall follow applicable city and state erosion and stormwater management guidelines in accordance with the requirements of Art 5, Sec 5.5.3.

The plans include installation of Silt fence and barrier fencing to protect the adjacent wetland buffer. An EPSC plan has been prepared and provided to the Stormwater Engineering program for review. **Affirmative finding as conditioned.**

Design features which address the effects of rain, snow, and ice at building entrances, and to provisions for snow and ice removal or storage from circulation areas shall also be incorporated.

The shed will be protected by bollards to prevent any damage during snow plowing events. **Affirmative finding.**

(h) Building Location and Orientation:

A shed has been included on the interior of the parking area to protect new electrical switchboard. It will be protected with bollards. The site really has no visibility from any public right-of-way. **Affirmative finding.**

(i) Vehicular Access:

No change to existing. **Affirmative finding.**



(j) Pedestrian Access:

The new parking lot provides connections to existing buildings. **Affirmative finding.**

(k) Accessibility for the Handicapped:

The new parking lot is intended primarily for fleet vehicles (busses, EV spaces) as well as accommodations for on-site staff. Revisions were made to the site plan to account for ADA. Any requirements towards ADA is under the jurisdiction

of the building official. **Affirmative finding as conditioned.**

(l) Parking and Circulation:

The new parking area is accessed from the existing Bioresearch Drive. See Plan C 1.0.

To the extent possible, parking should be placed at the side or rear of the lot and screened from view from surrounding properties and adjacent public rights of ways.

The proposed parking area is significantly inside the site; outside the viewscape of any public rights-of-way or surrounding properties.

Surface parking and maneuvering areas should be shaded in an effort to reduce their effect on the local microclimate, air quality, and stormwater runoff with an objective of shading at least 30% of the parking lot. Shading should be distributed throughout the parking area to the greatest extent practical, including within the interior depending on the configuration. New or substantially improved parking areas with 15 or more parking spaces shall include a minimum of 1 shade tree per 5 parking spaces with a minimum caliper size of 2.5-3" at planting. Up to a 30% waiver of the tree planting requirement may be granted by the development review board if it is found that the standard requirement would provide impractical given physical site constraints and required compliance with minimum parking requirements. All new shade trees shall be of a species appropriate for such planting environments, expected to provide a mature canopy of no less than 25' in diameter, and selected from an approved list maintained by the city arborist. Existing trees retained within 25' of the perimeter of the parking area (including public street trees), and with a minimum caliper size greater than 3" may be counted towards the new tree planting requirement.

Honeylocust trees will be planted in the parking islands and around the parking lot. This tree was chosen because it is exceptionally salt tolerant, it can grow quickly yet has a strong branch structure (per the application) that would be advisable if the trees tower over parked cars, and it tolerates wet areas.

Plan L1.1 calculate the requirement to provide 33 new trees; but the diminishment in the number of parking spaces to 157 redefines the need for tree planting to **31 trees**. The applicants request a 7% waiver in tree planting requirements (29 trees proposed, 31 required), as their shade calculation defines parking lot shading to exceed the 30% requirement. (See Plan L-1.1) Given that the shading target is met, the waiver request is reasonable.

Affirmative finding.

(m) Landscaping and Fences:

Reference is made to Plans L 1.0 and L 1.1. The proposed caliper size is compliant with the standards. The application includes installation of a silt fence for erosion control during construction and permanent buffer demarcation with boulders. **Affirmative finding.**

(n) Public Plazas and Open Space:

Not applicable.

(o) Outdoor Lighting:

Where exterior lighting is proposed the applicant shall meet the lighting performance standards as per Sec 5.5.2.

The application includes fixture information and a photometric plan. Light fixtures do not exceed the 25' maximum; parking lot lighting is reported within the photometric to conform to the 4.0 fc maximum. **Affirmative finding.**

(p) Integrate infrastructure into the design:

Not applicable.

Part 3: Architectural Design Standards

Sec. 6.3.2 Review Standards

Not applicable.

Article 8: Parking

There are no longer any minimum parking standards per Zoning Amendment ZA22-07. This newly proposed parking area has been included within the Joint Institutional Parking Management Plan, currently under review by the Planning Commission. Parking spaces provided within this application are reflected in that plan.

Affirmative finding.

Shade Calculations

Total new parking area = 64,600 SF
 30% of new parking area (64,600 x .3) = 19,380 SF
 Total area shaded* by new tree planting = 18,296 SF
 Total area shaded* by existing building = 1,461 SF
 Total parking area shaded (18,296 + 1,461) = 19,577 SF

Shaded area provided > 30% total new parking area

*Shade analysis and calculations based on SketchUpPro shade analysis modeling assuming conditions on 12/21 at 12:00 noon.

Tree Planting Requirements

Total new parking spaces = 162
 Required 1 tree for every 5 parking spaces (162/5 = 33 trees)
 Tree plantings provided = 29 new trees
 Requesting a 12% wavier of tree plantings (29/33 = .88% of required trees)

PLANT SCHEDULE					
KEY	QTY.	SCIENTIFIC NAME	COMMON NAME	SIZE	SPACING
DECIDUOUS TREES					
TH	29	Gleditsia Triacanthos Inermis	THORNLESS HONEYLOCUST	3 - 3 1/2" CAL	AS SHOWN

II. Conditions of Approval

1. Any requirements relative to compliance with ADA standards are under the jurisdiction of the building official.
2. An Erosion Prevention and Sediment Control and Stormwater Plan shall be submitted and is subject to review and approval by the Stormwater Engineer **prior to release of the zoning permit.**
3. This parking area is included within the Joint Institutional Parking Management Plan, currently under review by the Planning Commission.
4. Any conditions imposed by the Conservation Board shall be incorporated into this approval.
5. Standard Permit Conditions 1-15.

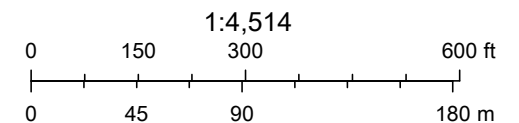
NOTE: These are staff comments only. The Development Review Board, who may approve, table, modify, or deny projects, makes decisions.

655 Spear Street, BioResearch Complex Parking Lot Location Map



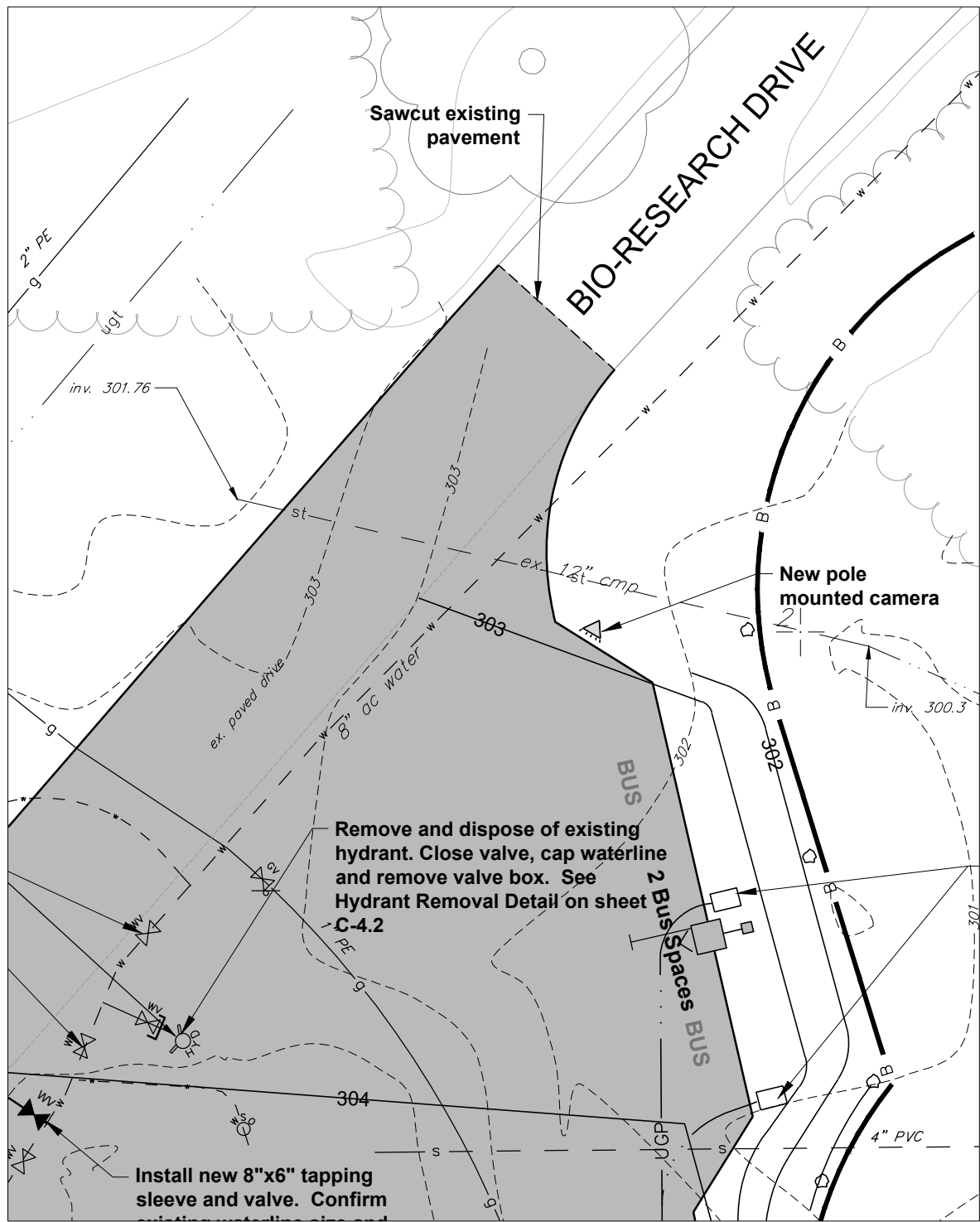
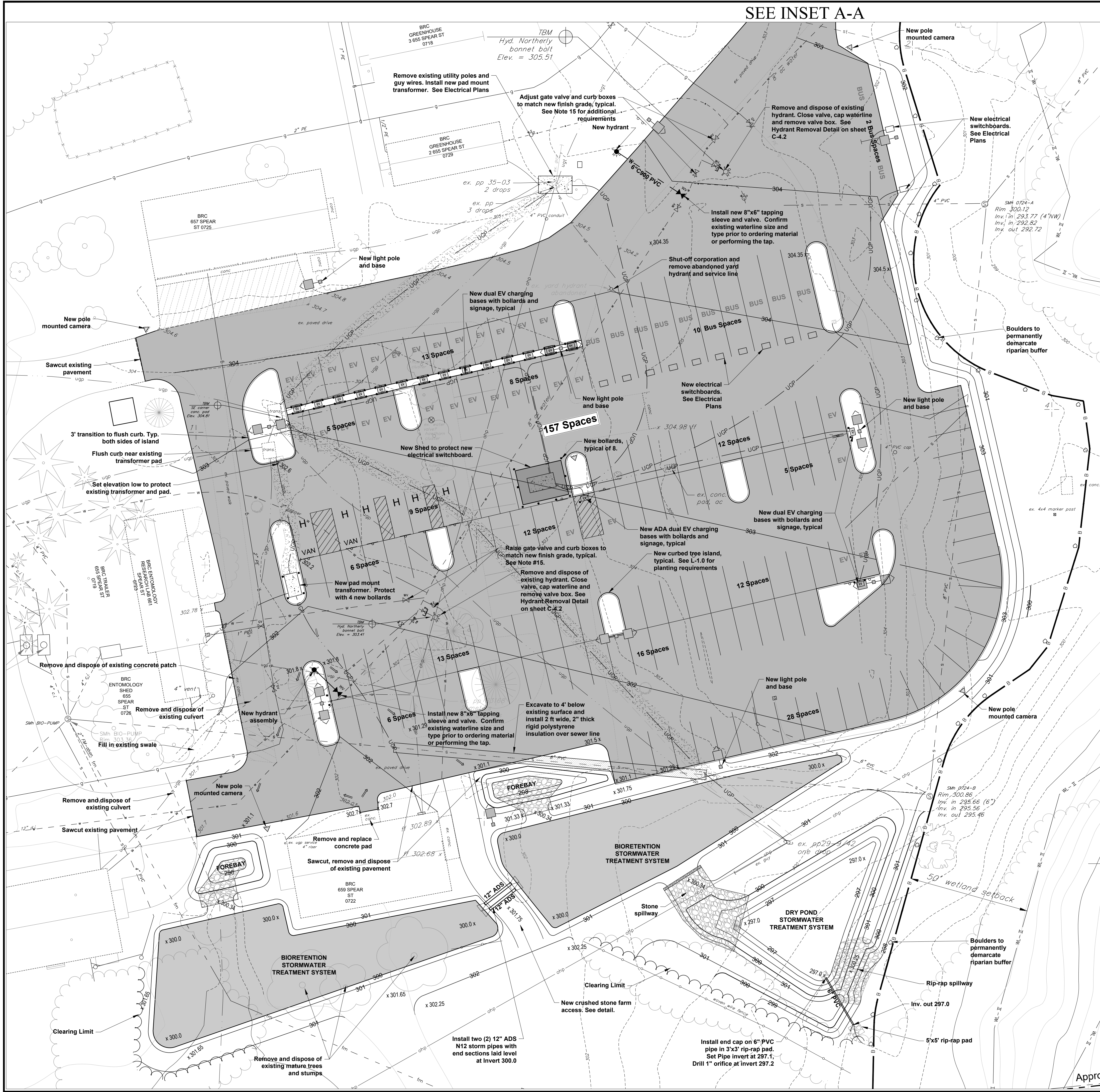
BIORESEARCH PARKING WILL RESULT IN A NET INCREASE OF 47,592 SF

BIORESEARCH COMPLEX LOT COVERAGE WILL INCREASE FROM 10.97% TO 15.42%



VCGI, Esri Community Maps Contributors, Chittenden County RPC, VCGI, ©
OpenStreetMap, Microsoft, Esri, HERE, Garmin, SafeGraph,

Web AppBuilder for ArcGIS



- NOTES**
- The Contractor shall be responsible for repairing all disturbed areas back to original or better condition, including but not limited to curbing, sidewalks, road, parking areas, landscaping, site lighting, electrical, and etc. All asphalt shall be sawcut prior to paving.
 - All stumps, rock, and other non-approved trench backfill material discovered during construction is the exclusive property of the Contractor and shall be removed from UVM property and disposed of in a State approved disposal location. All existing soils reused for fill or trench backfill shall conform to all applicable sections of VTRANS specifications Section 203-Excavation & Embankments. Fill soils that do not pass a subgrade proof roll shall be removed and replaced at the Contractor's expense.
 - All passing concrete and soil (sieve, proctor, and compaction) testing expenses shall be paid by Owner. Testing coordination, all other required testing, and expenses for failed tests shall be the Contractor's responsibility.
 - The Contractor shall contact the Burlington Electric Department prior to any work in the vicinity of the existing electric conduits.
 - This project requires coverage under the City of Burlington Standard Erosion Prevention & Sediment Control Permit. The Contractor shall be the On-site Coordinator for the project and shall be responsible for all required inspections, maintenance, and reporting. The Contractor shall be responsible for installing, maintaining and removing all erosion and sediment control devices shown on the plans or details and, to the maximum extent practical, to minimize potential contamination of stormwater runoff from the construction activities.
 - Contractor shall be responsible for all "As-built" measurement and drafting requirements as outlined on the Detail Sheets. All trench excavations shall remain open until all as-built survey shots have been taken. Progress Record Drawings shall be submitted to the Engineer as indicated in the Record Drawing specifications. In addition to the survey shots at least two swing-ties (± 1 ft accuracy) shall be provided for each gate valve (new and abandoned), curb stop and end cap.
 - The Contractor shall be responsible for all signage and fencing necessary to providing safe vehicular and pedestrian access through or around the site during construction. Signs shall meet sign requirements on detail sheets.
 - Contractor shall be responsible for importing topsoil as required to complete the project. Refer to Post Construction Soil Depth and Quality Notes on Sheet L-1.0.
 - Temporary groundwater and stormwater by-pass pumping and/or diversion is the responsibility of the Contractor. The Contractor is responsible for providing all necessary pumps and equipment to perform the work. Overnight pumping is not allowed.
 - Where plans indicate "RESTORE" to vegetation, Contractor shall remove and dispose of impervious surface and subbase (assume 12"). For lawn areas rototill subgrade soil and fill to within 4" of finish grade, place 4" topsoil, and hydroseed. For planting areas, rototill subgrade soil and install 18" of topsoil and 2" of bark mulch (as approved by UVM Grounds). Refer to Post Construction Soil Depth and Quality Notes on Sheet L-1.0.
 - Removal of all erosion control matting and inlet protection is the responsibility of the Contractor.
 - Electrical and lighting lines are shown for coordination purposes. Refer to Electrical plans and specifications for design.
 - Contractor shall be responsible for all effort related to obtaining and closing out an Electrical Permit from the City of Burlington for the new light pole.
 - All water line and appurtenances shall be installed in accordance with the Champlain Water District Specifications and Details for the Installation of Water Lines and Appurtenances, current edition.
 - All gate valve and curb boxes shown on the plans or discovered in the field shall be inspected for condition, access, and operational status. Contact South Burlington Water Department for inspection. Raise gate valve and curb boxes to match new finish grade ($\frac{1}{8}$ " variance from flush, maximum). All curb boxes within the pavement area shall be placed in a gate valve box top cover section.

Legend (See Sheet C-2.0 for existing conditions Legend)

- New EV Charging Station and Bollards
- New light pole and base
- Preconstruction Excavation
- Finish Grade Spot Grade Elevation
- Finish Grade Direction of Flow
- New Finish Grade Contour
- New Electrical - See Electrical Plans
- New Storm Line/Manhole/Basin
- New Concrete/Granite Curb
- New pavement and subbase
- Pavement Repair - Remove existing and repave (3" min.)
- New Concrete Walk
- New Bioretention Treatment Soil



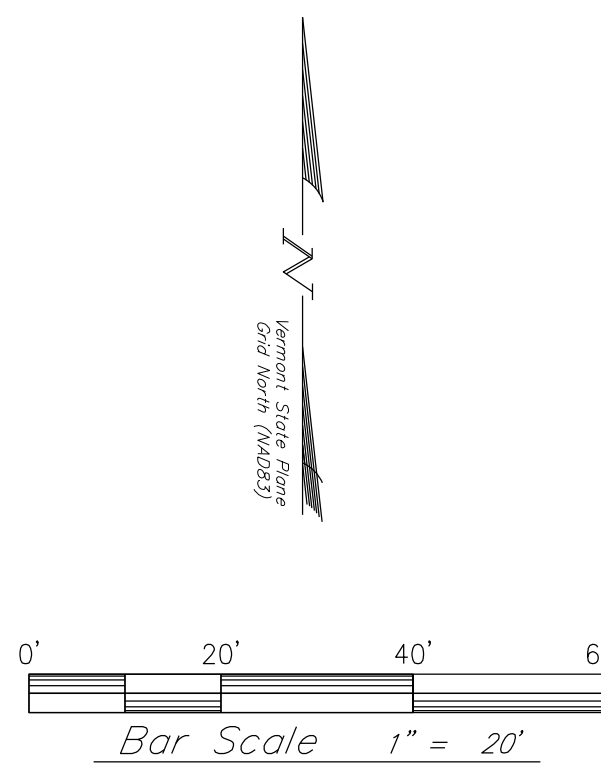
University of Vermont
PLANNING, DESIGN, & CONSTRUCTION
MARSH HALL SUITE 10
31 SPEAR STREET
BURLINGTON, VERMONT 05405

Project Manager: Adam Frazier



164 Main Street, Suite 201 P: (802) 878-0375
Colchester, Vermont 05446 www.krebsandlansing.com

STAMP:



Project:

BIORESEARCH COMPLEX PARKING IMPROVEMENTS

Project No. 22128
Scale 1" = 20'
Drawn by SLM
Checked by DMR
Date 04/28/2023

Revisions		
No.	Date	Description
1	05/25/2023	ADA spaces, EV chargers, switchboard shed

Drawing Title

Site Plan

Drawing No.

C-1.0

 Inlet Protection – Compost Filled Sediment Filter

 Existing Catch Basin

 Existing Contours

 Chain-link Construction limit barrier

 Orange Construction Fence

 Temporary Silt Fence

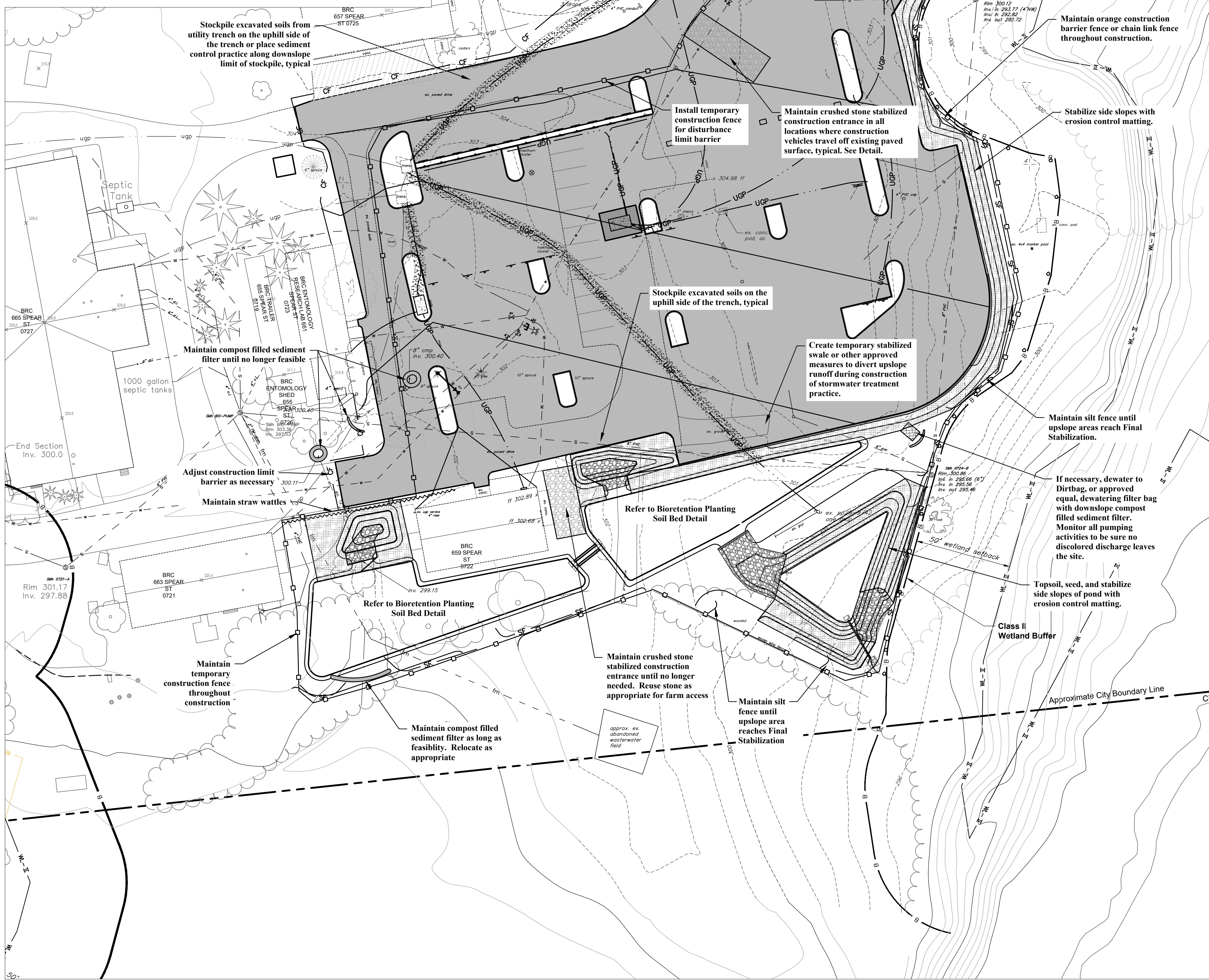
 Straw wattle (silt fence substitute only where indicated)

 Disturbance Limit Line

 Crushed stone for temporary site stabilization

 Erosion Control Matting

 8" Silt Sox by Filtrexx,
or approved equal sediment control barrier



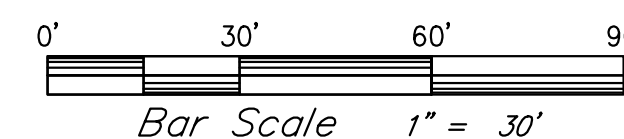
1. Contractor shall be responsible for complying with all State and Local erosion prevention and sediment control standards and permit requirements during construction. Both the City and State Erosion Prevention & Sediment Control Permits shall be posted near the construction entrance, or in a location visible to the public.
2. **This project is subject to the permit conditions for an Individual Construction Stormwater Permit. The Contractor shall be the On-site Coordinator for the project and shall be responsible for all required inspections (minimum weekly and after any storm event that produces a discharge), turbidity readings, maintenance, and reporting. The On-Site Plan Coordinator shall be required to provide a turbidity meter for the project. Refer to the permit for inspection and maintenance requirements.**
3. The limit of disturbance shall be clearly defined by Contractor's surveyor prior to clearing. Clearing and grubbing shall not begin until disturbance limits and sediment controls are in place. All roots, stumps and deleterious materials shall be removed from the site. The Contractor shall minimize the amount of disturbed land at any given time.
4. The erosion prevention and sediment control practices shown on these plans are the minimum required for the project. The Contractor shall employ and maintain as many best management practices as necessary to prevent soil from leaving the construction site. If evidence is found of sediment tracking or eroded soil leaving the construction site, the Engineer may direct Site Contractor to implement additional best management practices at no additional cost to Owner.
5. All areas of disturbance shall be permanently or temporarily stabilized as soon as possible and within 48 hours of final grading. All areas of disturbance shall be at least temporarily stabilized daily during winter construction unless the following exceptions apply:
 - a. Stabilization is not required if earthwork is to continue in the area in the next 24 hours and there is no precipitation forecast in the next 24 hours.
 - b. Stabilization is not required if the work is occurring in a self-contained excavation (i.e. no outlet) with a depth of 2 ft. or greater (e.g. house foundation excavation, utility trenches). Stabilization measures shall include mulch and netting, erosion control matting, crushed stone, gravel, or pavement.
6. Unless specifically indicated on the plans acceptable methods of stabilization shall include:
 - STRAW Mulching – 2 tons per acre. Only STRAW mulch is allowed. Approximately 2" uniform thickness. Only allowed on relatively flat areas with minimum upslope watershed. Mulch must be properly secured with netting to prevent material from being blown away by wind (windthrow).
 - Hydrosseeding* – Applied at the manufacturer's recommended application rate. Contractor shall provide evidence of proper application rate. Hydrosseeding must be accompanied by erosion control matting in areas of concentrated flow.
 - Erosion control matting – S150BN matting must be applied to all slopes 3:1 (H:V) or greater (unless otherwise indicated).
 - Crushed stone or crushed gravel – Typically used for temporary access roads and construction staging areas.
- * **Hydrosseeding after September 15th or on slopes 3:1 must be done using Flexterra High Performance-Flexible Growth Medium, or approved equal.***
7. The Contractor shall use water for dust control.
8. The Contractor shall provide inlet protection around all catch basins (existing or new) that collect construction site stormwater runoff. At a minimum, MarshMat, or approved equal, coir inlet filters shall be installed over all catch basin grates. Additional inlet control shall be installed as identified on the plans or as warranted during construction. Inlet protection must be maintained until final stabilization has been reached.
9. A stabilized construction entrance (See Detail) shall be installed and maintained at all construction access locations if construction vehicles travel off the existing landscape. Contractor shall be responsible for installing crushed stone to provide stable areas for construction vehicle traffic, staging, and storage. The Contractor is responsible for providing and maintaining sufficient stone to prevent rutting and sediment tracking.
10. Any paved roads used by construction vehicles shall be swept daily, or at a greater frequency, if dirt or gravel is tracked from the site. The swept debris shall be immediately removed from face of curb if applicable.
11. All temporary erosion and sediment control measures shall be removed within 30 days after final stabilization or after the measures are no longer needed, unless otherwise authorized.
12. All sediment removed from sediment control practices shall be placed in an approved soil disposal area.
13. All areas that do not have established vegetation by October 15th must be stabilized in accordance with the Winter Stabilization requirements outlined in the Low Risk Site Handbook. See Details.
14. After permanent seeding the Contractor shall be responsible for watering to ensure adequate vegetative growth. Weed growth is not considered acceptable vegetative growth.
15. The location of temporary construction fencing and the temporary access shown on the plan are for schematic purposes only. The Contractor shall be responsible for providing all necessary temporary construction fencing, temporary roads, staging areas, etc., necessary to complete the work.
16. Water from dewatering activities that flows off site must be clear. Turbid, or visibly discolored water must not be pumped into storm sewers.
17. Contractor shall call James Sherrard at (802) 503-7027 or email (jsherrard@burlingtonvt.gov) at least 24 hours prior to initiating earth disturbance and submit name, cell phone number, and email contact information of the erosion control coordinator for the project.
18. The perimeter of the site and all BMPs will be inspected at the end of each workday to ensure that sediment will not leave the site. If sediment has traveled beyond the site boundary, it shall be swept up or otherwise removed and deposited on-site in an upgradient area at the end of each workday.



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 COMPLEX
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Project No.	22128
Scale	1" = 30'
Drawn by	SLM/JBC
Checked by	DMR
Date	04/28/2023

Revisions		
No.	Date	Description
1	05/25/2023	ADA spaces, EV chargers, switchboard shed

Drawing No.

C-3.1

POST-CONSTRUCTION SOIL DEPTH & QUALITY
STANDARD VERIFICATION TEST PIT (MINIMUM 9' ACRE)

SOILS SUBJECT TO POST-CONSTRUCTION
SOIL DEPTH & QUALITY STANDARD

PROJECT SITE AREA

- SOIL DEPTH AND QUALITY SHALL BE ESTABLISHED TOWARDS THE END OF CONSTRUCTION AND, ONCE ESTABLISHED, BE PROTECTED FROM COMPACTION.
- THE CONTRACTOR IS RESPONSIBLE FOR VERIFICATION OF THE POST CONSTRUCTION SOIL DEPTH AND QUALITY.
- VERIFICATION SHALL BE VIA A SAMPLING SCHEME IDENTIFIED ON THIS PLAN THAT INCLUDES 8" DEEP TEST HOLES PER ACRE OF AREA SUBJECT TO THE STANDARD.
- TEST HOLES SHALL BE EXCAVATED USING ONLY A SHOVEL DRIVEN SOLELY BY THE INSPECTOR'S WEIGHT AND SHALL BE AT LEAST 50 FEET APART FROM EACH OTHER.
- AFTER THE CONTRACTOR'S VERIFICATION OF THE POST CONSTRUCTION SOIL DEPTH AND QUALITY REQUIREMENTS, THE CONTRACTOR SHALL PROVIDE THE ENGINEER WITH A LETTER CONFIRMING CONFORMANCE WITH THE STORMWATER PERMIT STANDARD.



Required Elements:
Soil retention: Retain, in an undisturbed state, the duff layer and native topsoil to the maximum extent practicable.

Soil quality: All areas subject to the Standard shall demonstrate the following:

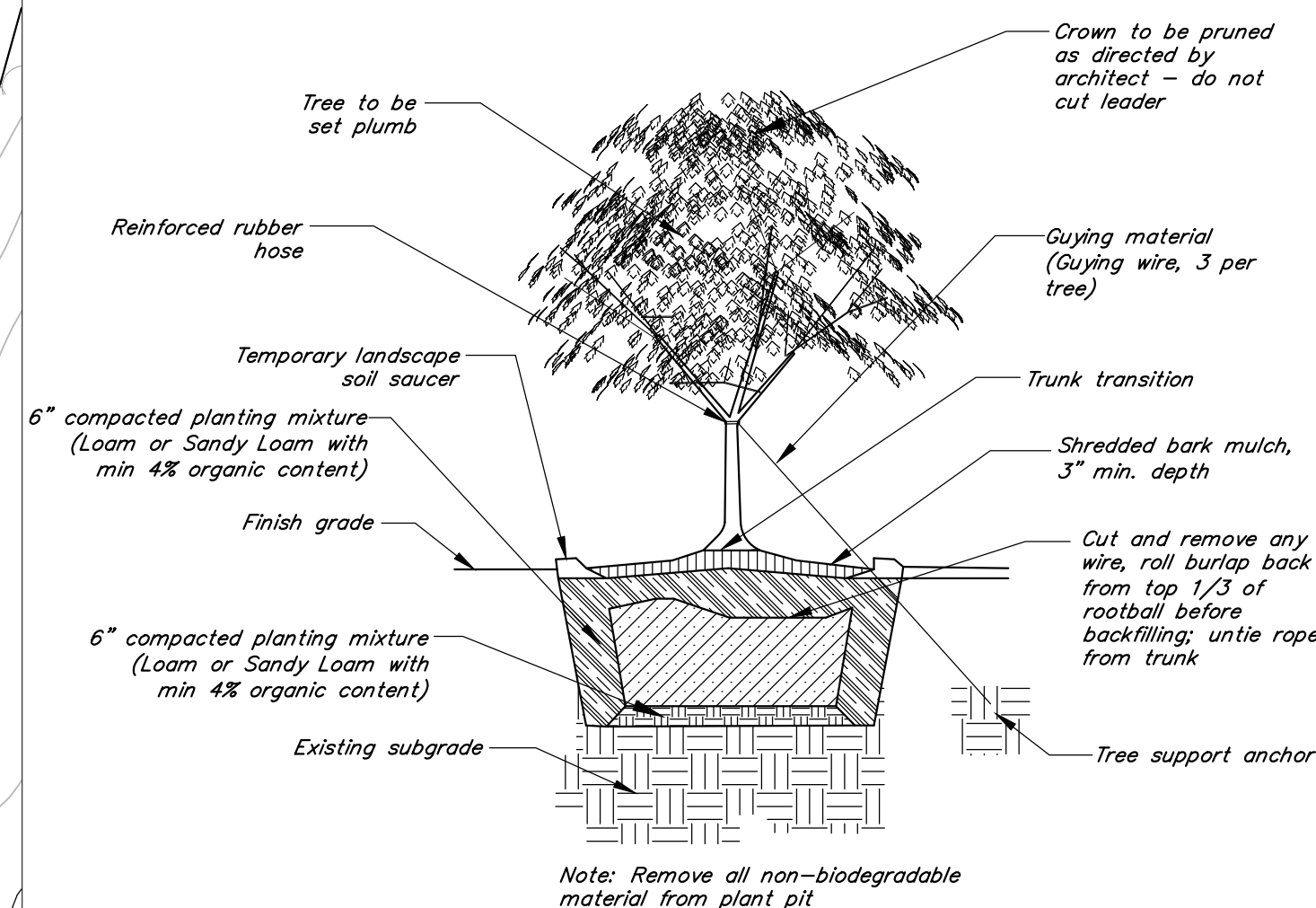
- A topsoil layer with a minimum organic matter content of 4% dry weight in planting beds and turf areas. The topsoil layer shall have a minimum depth of 5 inches, except where tree roots limit the depth of incorporation of amendments needed to meet the criteria.
- Compost and other materials shall be used that meet the following requirements:
 - The compost or other materials shall have a carbon to nitrogen ratio below 25:1.
 - Compost shall meet the definition of "compost" in the Agency's Solid Waste Management Rules or shall meet the contaminant standards in the Vermont Solid Waste Management Rules §6-1104(g)(6-7), §6-1105(e)(8-9), and §6-1106(e)(7-9). Compost or other organic materials may be amended to meet the foregoing requirements.
 - Exceptional Quality biosolids (EQ biosolids) may be used as a soil amendment, at a maximum proportion of 35% of the total soil volume, and shall be well mixed with existing soil before or during application.
- The resulting soil shall be conducive to the type of vegetation to be established.
- The soil quality requirements shall be met by using one or a combination of the following methods:
 - Option 1: Leave undisturbed native vegetation and soil, and protect from compaction during construction. Failure to establish and maintain exclusionary controls around these areas during the construction phase may trigger the requirement to restore soils per one of the following options.
 - Option 2: Amend existing site topsoil or subsoil in place.
 - Scarify or till subsoils to 4 inches of depth or to depth needed to achieve a total depth of 8 inches of uncompacted soil after calculated amount of amendment is added. Except for within the drip line of existing trees, the entire surface shall be disturbed by scarification;
 - Amend soil to meet organic content requirements:
 - **PRE-APPROVED RATE:** Place 1 inch of composted material with an organic matter content between 40 and 65% and rototill into 3 inches of soil, or
 - **CALCULATED RATE:** Place calculated amount of composted material or approved organic material and rototill into depth of soil needed to achieve 4 inches of settled soil at 4% organic content. *Contractor to provide calculation and site sketch indicating areas used for calculations.
 - Rake beds to smooth and remove surface rocks larger than 2 inches in diameter; and
 - Water or roll to compact soil in turf areas to 85% of maximum dry density.
 - Option 3: Remove and stockpile existing topsoil during grading.
 - Stockpile soil on site in a designated controlled area, at least 50 feet from surface waters, wetlands, floodplains, or other critical resource areas;
 - Scarify or till subgrade to a depth of 4 inches. Except for within the drip line of existing trees, the entire surface shall be disturbed by scarification;
 - Stockpiled topsoil shall also be amended, if needed, to meet the organic content requirements:
 - **PRE-APPROVED RATE:** Compost shall be incorporated with an organic matter content between 40 and 65% into the topsoil at a ratio 1:3, or;
 - **CALCULATED RATE:** Incorporate composted material or approved organic material at a calculated rate to achieve 4 inches of settled soil at 4% organic content;"
 - Replace stockpiled topsoil prior to planting, screen topsoil, and;
 - Rake to level, and remove surface rocks larger than 2 inches in diameter.
 - Option 4: Import topsoil mix, or other materials for mixing, including compost, of sufficient organic content and depth.
 - Scarify or till subgrade to a depth of 4 inches. Except for within the drip line of existing trees, the entire surface shall be disturbed by scarification;
 - Place 4 inches of imported topsoil mix on surface. The imported topsoil mix shall contain 4% organic matter. Soils used in the mix shall be sand or sandy loam as defined by the USDA; Shop drawing submittal is required. Find USDA sieve for sand and sandy loam.
 - Rake beds to smooth and remove surface rocks larger than 2 inches in diameter; and
 - Water or roll to compact soil in turf areas to 85% of maximum dry density.

- o Identifies areas on the site subject to the Standard;
- o Soil depth and quality shall be established toward the end of construction and once established, protected from compaction, such as from large machinery, vehicle traffic, and from erosion;
- o After soil amendments and placement is complete, and prior to seeding and mulching, Contractor shall perform verification sampling in locations indicated on sampling plan. Verification sampling shall include nine, 8 inch deep (min) test holes per acre of area subject to the standard. Test holes shall be excavated using only a shovel driven solely by inspector's weight and shall be at least 50 feet apart from each other.
- o A dense and vigorous vegetative cover shall be established over all turf areas.

At the end of construction the Contractor shall provide the Engineer with a letter indicating that the Post Construction Soil Depth and Quality Standards have been met. This shall include the verification sampling, topsoil depths, and soil modifications.

Total new parking spaces = 166
 Required 1 tree for every 5 parking spaces ($166/5 = 33$ trees)
 Tree plantings provided = 29 new trees
 Requesting a 12% waiver of tree plantings ($29/33 = .88\%$ of required trees)

PLANT SCHEDULE					
KEY	QTY.	SCIENTIFIC NAME	COMMON NAME	SIZE	SPACING
DECIDUOUS TREES					
GT	29	Gleditsia Triacanthos Inermis	THORNLESS HONEYLOCUST	3" CAL	AS SHOWN



Tree Planting in Landscape Detail

N.T.S.

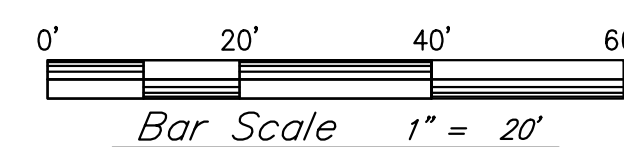
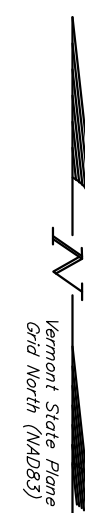


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BIORESEARCH
 COMPLEX
 PARKING
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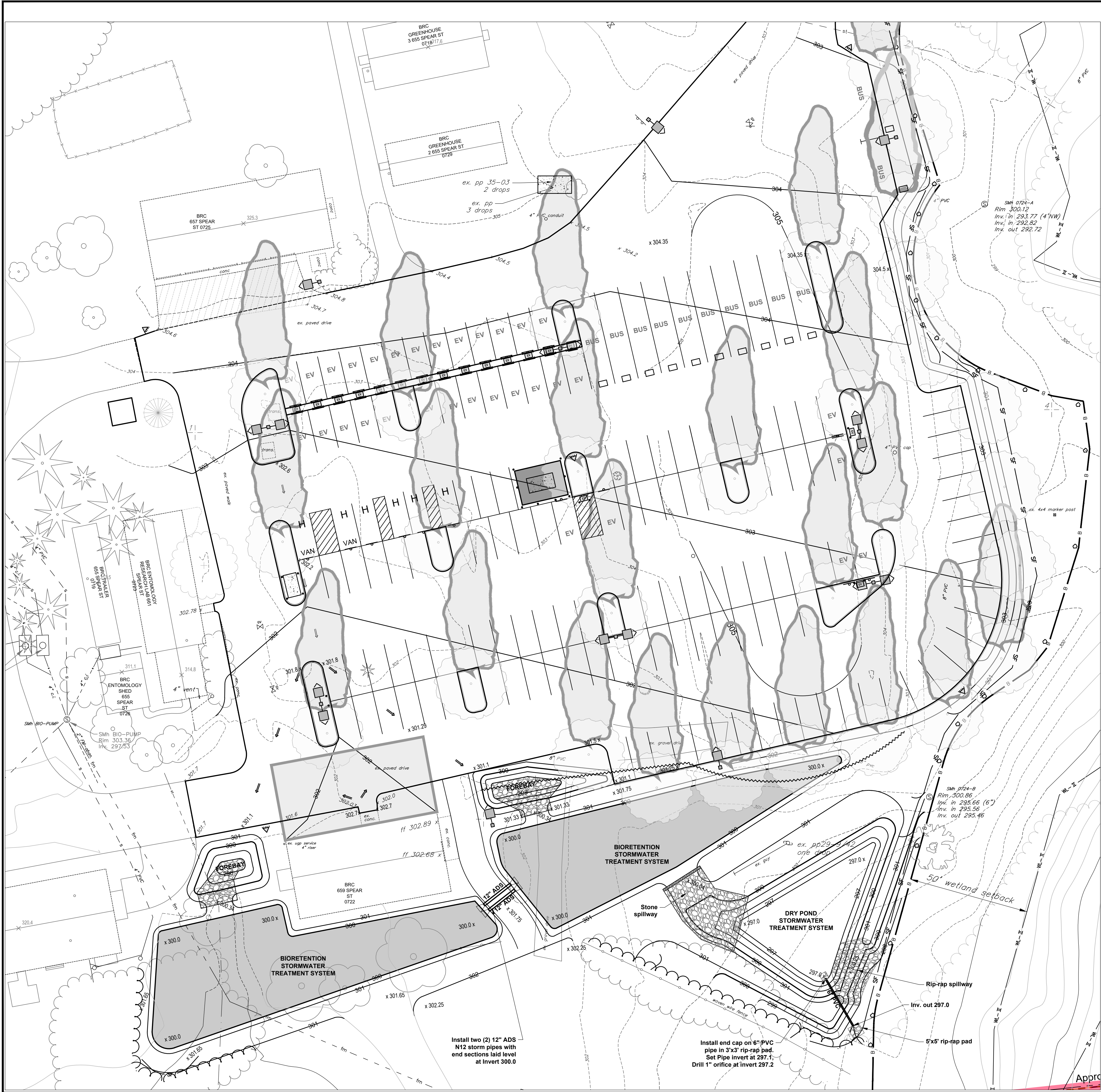
Revisions		
No.	Date	Description
1	5/22/2023	Revised Post-Con Soil Depth & Quality areas
2	05/25/2023	ADA spaces, EV chargers, switchboard shed

Drawing Title

Landscape and
Post-Construction Soil
Depth & Quality Plan

Drawing No.

L-1.0



Shade Calculations

Total new parking area = 64,600 SF
30% of new parking area (64,600 x .3) = 19,380 SF
Total area shaded* by new tree planting = 18,296 SF
Total area shaded* by existing building = 1,461 SF
Total parking area shaded (18,296 + 1,461) = 19,757 SF

Shaded area provided > 30% total new parking area

*Shade analysis and calculations based on SketchUpPro shade analysis modeling assuming conditions on 12/21 at 12:00 noon.

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Required 1 tree for every 5 parking spaces (162/5 = 33 trees)
Tree plantings provided = 29 new trees
Requesting a 12% waiver of tree plantings (29/33 = .88% of required trees)

PLANT SCHEDULE					
KEY	QTY	SCIENTIFIC NAME	COMMON NAME	SIZE	SPACING
DECIDUOUS TREES					
TH	29	Gleditsia Triacanthos Inermis	THORNLESS HONEYLOCUST	3 - 3 1/2" CAL	AS SHOWN



The
UNIVERSITY
of VERMONT
UVM

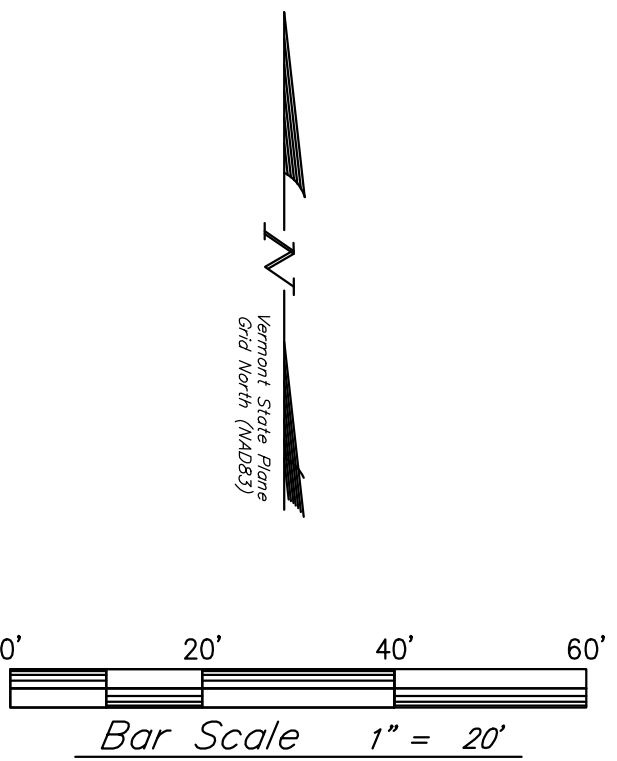
University of Vermont
PLANNING, DESIGN, & CONSTRUCTION
MARSH HALL SUITE 10
31 SPEAR STREET
BURLINGTON, VERMONT 05405

Project Manager: Adam Frazier



164 Main Street, Suite 201 P: (802) 878-0375
Colchester, Vermont 05446 www.krebsandlansing.com

STAMP:



Project:

BIORESEARCH
COMPLEX
PARKING
IMPROVEMENTS

Project No.	22128
Scale	1" = 20'
Drawn by	CPG
Checked by	
Date	04/28/2023

Revisions	No.	Date	Description
	1	05/25/2023	ADA spaces, EV chargers, switchboard shed

Drawing Title

Shade Plan

Drawing No.

L-1.1

University of Vermont
BioResearch Complex – Parking Lot

Existing Site Photographs



1. Entering parking lot looking west



2. Looking southeast at building to be demolished (ZP-23-27)



3. Looking south



4. Looking northwest



5. Looking west



6. Looking northeast



Department of Permitting and Inspections

Zoning Division

645 Pine Street

Burlington, VT 05401

<http://www.burlingtonvt.gov/PZ/>

Telephone: (802) 865-7188

(802) 865-7195 (FAX)

William Ward, Director
Theodore Miles, Code Compliance Officer
Scott Gustin, AICP, CFM, Principal Planner
Mary O'Neil, AICP, Principal Planner
Garret King, Associate Planner
Joseph Cava, Planning Technician
Ted Boylan, Permit Administrator



MEMORANDUM

To: Development Review Board

From: Mary O'Neil, AICP, Principal Planner

Date: June 6, 2023

RE: ZP-23-164; 75 Cherry Street

Note: These are staff comments only. Decisions on projects are made by the Development Review Board, which may approve, deny, table or modify any project. THE APPLICANT OR REPRESENTATIVE MUST ATTEND THE MEETING.

File: ZP-23-164

Location: 75 Cherry Street

Zone: FD6 **Ward:** 3C

Parking District: Multi-Modal

Date application accepted: April 12, 2023

Applicant/ Owner: Jesse Robbins, Freeman French Freeman Architects

Request: Amendment to existing permit for changes within discretionary height area, including additional dwelling units and exterior building changes.



BANK AND SAINT PAUL

Background:

- **Zoning Permit 21-0414CA**; Amendment to ZP17-0662CA/MA; redevelopment of the former Burlington Town Center Mall site into 700,000 sf mixed use. 426 residential units, restaurant, retail, community space, co-working and meeting space. Includes 422 parking spaces in structured garage. March 2021.
- **Zoning Permit 21-0354AP**; Appeal of Zoning Administrator Determination regarding relinquishing 17-0662CA/MA. Appeal public hearing scheduled for February 16, 2021.
- **Zoning Permit 20-0522CA**; Amend ZP 17-0662CA/MA phasing schedule. Application withdrawn January 2021.
- **Zoning Permit 18-0996CA**; fenestration changes above the podium. Minor changes to accent materials changing metal panel between the windows, on selected corners, and partial facades to limestone finish precast panel. Elevations include approved cable railings. Original Permit ZP17-0662CA/MA. May 2018.
- **Zoning Permit 18-0768CA**; 7th and 12th floor amenity space; change to project phasing. April 2018.
- **Zoning Permit 18-0648CA**; amendment to 17-0662CA/MA; addition of 16 residential units on the east and west elevations at level 2,3, and 4 reflected in exterior revisions and floorplans. Elimination of awnings at retail. Parking layout revision. February 2018.
- **Zoning Permit 18-0538CA**; Exterior Boiler Flue. December 2017.
- **Zoning Permit 18-0225CA**; install roof top unit to support existing retail. August 2017.
- **Zoning Permit 17-0662CA/MA**; mixed use redevelopment of the existing Burlington Town Center mall site and associated lot line adjustments. March 2017; adjudicated, Stipulation Agreement issued July 17, 2017.
- **Zoning Permit 12-0391CA**; convert asphalt turnaround area to grass and landscaping on Cherry Street side of property. September 2011.
- **Zoning Permit 79-120**; pathways within the urban renewal area and drive into parking area on parcel 10 as marked to be paved. (Cherry Street circular drive.) April 1979.

Overview: The applicants propose generalized revisions to the March 2021 plan; most of which are subject to administrative (Checklist) review. The primary changes are that levels 9 and 10 are larger and have different uses, the east wing of the north building will extend an additional 8' from Level 1 and above, and balconies will be added to the south building.

For an overall accounting of those changes, they include:

- Change Level 9N mechanical penthouses (small footprint) to nearly full footprint expanded residential use (Level 9N will now be the same footprint as 8N except for a 10'-0" street frontage step-back on 3 sides).
- Change level 9S from a restaurant & roof terrace to a residential level the same size as Level 8S below

- Change Level 10S from a mechanical penthouse (small footprint) to a nearly full footprint of additional residential space with a 10'-0" step back at street frontages which will be used as roof terrace
- Add projecting balconies at levels 2S-9S
- Reduce size of in-set balcony at Level 1S
- Expand the east side of the north building 8' to the south.

Only those changes that occur above the area subject to Administrative Review (65') and therefore subject to DRB review per Section 14.6.4 (f) are within the scope of this review.

The **Design Advisory Board** reviewed the application at their May 23, 2023 meeting and voted unanimously to recommend approval.

Recommended motion: Certificate of Appropriateness Approval, per the following Findings and Conditions:

I. Findings

Article 3: Applications, Permits and Project Reviews

Part 3: Impact Fees

Impact fees will be recalculated for those areas with new use (restaurant – to – residential) and the new vertical addition to the east wing of the north building. The applicant shall provide the area breakdown for staff calculation prior to a request for a Certificate of Occupancy.



Affirmative finding as conditioned.

Section 3.3.3 Exemptions and Waivers

(c) Inclusionary housing units per Article 9: Part 1 shall be exempt from the Part.

The applicant shall provide the area of Inclusionary Housing units to exclude them from the overall Impact Fee requirements. **Affirmative finding as conditioned.**

Section 3.3.8 Time and Place of Payment

Impact fees must be paid to the city's chief administrative officer / city treasurer according to the following schedule:

- New Buildings: Impact fees must be paid at least seven (7) days prior to occupancy of a new building or any portion thereof.*

Affirmative finding as conditioned.

Part 5: Conditional Use and Major Impact Review

Section 3.5.2 Applicability

(b) Major Impact Review

Major Impact Review is required for the creation of fifty (50) or more dwelling units within the form districts. The application proposes between 400 and 450 dwelling units within this application. Zoning Permit 21-0414CA/MA (20-0717 in Open Gov) approved 426 dwelling units.

Major Impact does not apply as long as the unit count does not exceed 475 units; an increase of 50 or more units within 12 months will trigger Major Impact review.

Affirmative finding as conditioned.

Article 5: Citywide General Regulations

Section 5.2.1 Existing Small Lots.

Not applicable.

Section 5.2.2 Required Frontage or Access

Not applicable.

Section 5.2.3 Lot Coverage Requirements

This is covered within the Checklists.

Section 5.2.4 Buildable Area Calculation

Not applicable in the FD zoning district.

Section 5.2.5 Setbacks

This is covered within the Checklists.

Section 5.2.6 Building Height Limits

(a) Height Measurement

The parcel is within the Special Height Area FD6A, with a by-right height of 6 stories or 65', or DRB review of height up to 14 stories or 160'. The applicants making revisions within the discretionary additional height area, but not increasing the prior-approved height. See Section 14.6.4 (f), below for specific analysis.

(b) Exceptions to Height Limits

Ornamental and symbolic architectural features, including towers, spires, cupolas, belfries and domes; greenhouses, garden sheds, gazebos, rooftop gardens, terraces, and similar features; and fully enclosed stair towers, elevator towers and mechanical rooms, where such features are not used for human occupancy or commercial identification, are exempt from specific height limitations but shall be subject to the design review provisions of Art. 3 and 6. Such features and structures shall be designed and clad in a manner consistent and complementary with the overall architecture of the building.

The mechanical penthouses are being eliminated due to the all-electric conversion of the development. While these penthouses had been an exception to height limits, the conversion to

residential units now requires a measurement of these occupied floors toward the overall building height. Reference is made to Section 14.6.4 (f), below for a complete discussion.

Section 5.2.7 Density and Intensity of Development Calculations

The Form Based Code (Downtown Code) does not have specific FAR requirements but the project complies with the building bulk requirements of 14.3.4-D and is covered in the Checklists.

Sec. 5.4.8 Historic Buildings and Sites

Not applicable.

Section 5.5.1 Nuisance Regulations

No part of the application indicates that nuisance impacts may result. No industrial or other commercial uses typically associated with heat, glare, emissions, or noise are included in the application. The prior review included an evaluation of potential noise impacts relative to Burlington's noise ordinance. Parking areas, trash/recycling facilities, and loading docks will be internal to the proposed building, thereby limiting outdoor noise. The mechanical penthouses will be eliminated in favor of additional residential units. HVAC will be an air-to-air heat pump system. **Affirmative finding.**

Section 5.5.2 Outdoor Lighting

No changes have been proposed to prior-approved lighting. Not applicable.

Section 5.5.3 Stormwater and Erosion Control

A comprehensive stormwater management plan was included and approved within the prior permit. Not applicable.

Article 8: Parking

Part 1 General Requirements

Section 8.1.3 Parking Districts

c) Multi-Modal Mixed Use

Zoning Amendment 20-04 created the *Multi Modal Mixed Use Parking District*, which eliminated minimum parking standards in FD6. A Judgment Order issued by Vermont Superior Court, Environmental Division July 17, 2017 mandated that 200 additional parking spaces at the cellar level would be provided for this redevelopment; this requirement remains with the permit as amended.

Zoning Amendment 22-07 eliminated minimum parking standards City-wide.

No change is proposed to the parking location or count.

The project has a current Transportation Demand Management Plan that remains in effect.

Affirmative finding as conditioned.

Section 8.1.9 Maximum On-site Parking Spaces

The total number of off-street parking spaces provided in any parking district shall be not more than as allowed in Table 8.1.9-1.

Use	Parking Maximum	Area / Units	Total
Residential	1/unit	450-475	450-475
Restaurant (eliminated)	3/1,000	4250 sf	13
Retail	2/1,000	41,300 sf	87
Community Center	3/1,000	3,150 sf	9
Office/co-working	2/1,000	9,084	18
Total max parking			589
Total Parking proposed			422

The 422 parking spaces are below the maximum allowable per this standard, even before **(a) Exemptions** are considered:

Public Parking	Required by VSCED ZP-17-0662CA/MA	-200
ADA Accessible Parking		- 4(P1), -4 (P2)

Affirmative finding.

Part 2: Bike Parking

The increase in residential units will result in an adjustment of required bike parking. The requirement for household living (multi-unit) is as follows:

Long Term Spaces: 1 per 2 bedrooms

Short Term Spaces 1/10 units.

Previous approval dedicated 263 Long Term bike spaces (residential bedrooms = 523)

And 43 Short Term spaces (426 units)

The Short Term bike parking requirement will increase based on the net unit count.

For 450 units: **45 short term bike spaces required.**

If 475 units, **48 short term bike spaces are required.**

The drawings currently identify (2) bike storage rooms for long term storage. The basement bike storage room that serves the North Building can be expanded into the storage area shown just to the east of it to accommodate additional bike storage needed to meet requirements; the showers in the ground floor bike storage area just north of 100 Bank St will meet the bike storage shower requirement (residential units don't contribute to that calculation; uses that do contribute have been reduced.)

Prior to occupancy, the applicant shall provide the net new number of residential bedrooms to appropriately adjust the Long Term bike parking requirement.

Affirmative finding as conditioned.

Article 9: Inclusionary Housing

The originally approved 85 Inclusionary Units are retained in this proposal; however the addition of new residential units spurs a recalculation of required IZ. The applicant is committed to providing 20% affordable units and anticipates the IZ unit count to grow.

Zoning Amendment #23-02 introduces Section 9.1.14 (b) which bases the calculation on a ratio of square footage of IZ to that of overall dwelling units. The final calculations for the number of inclusionary units shall be determined by the Housing Trust Fund Manager prior to issuance of a Certificate of Occupancy for the permit. **Affirmative finding as conditioned.**

The remainder of Article 9 standards, as approved in March 2021 remain in effect:

Section 9.1.17 Review of Proposal for Phasing

The application contains a phasing schedule that articulates 4 distinct phases. Residential construction and fit-up span phases 1, 2 and 4. The inclusionary units are interspersed throughout the residential components of the development. Per this criterion, the inclusionary units must be made available for occupancy on a schedule concurrent with the market-rate units. **Affirmative finding as conditioned.**

Section 9.1.18 Timeline for Availability/Phasing of Inclusionary Units for Issuance of Certificate of Occupancy

See Sec. 9.1.17 above.

Article 14 Downtown Code

Section 14.3.4.D Building Form (Form District 6)

The by-right height (administrative review) is 6 stories or 65 feet. The subject parcel is within the area identified as “A” on Map 2 – *Specific Height Areas* and is therefore eligible to request building height **up to 160’** with DRB review.

14.3.4-D- BUILDING FORM	
BUILDING HEIGHT	
Principal Buildings	<u>Subject to Administrative Review:</u> • 3 Stories min. • 4 Stories max., not to exceed 45-feet within 20-feet of the Frontage Line on the Church Street Marketplace¹; otherwise, • 6 Stories max., not to exceed 65-feet <u>Subject to DRB Review per Sec. 14.6.4 f:</u> • 10 Stories max., not to exceed 105-feet; or, • 14 Stories max., not to exceed 160-feet²

Under ZP 21-0414, the North residential building was approved for a building height of $\pm 107'2"$ to the top of the roof deck of the highest occupied level from Cherry Street average grade; $\pm 122'2"$ to roof deck of mechanical penthouse.

The South residential building was approved at a height of $\pm 127'10"$ from Bank Street average

grade to the restaurant/observation deck roof, and $\pm 142'10"$ to the mechanical penthouse roof. All heights are below the 160’ maximum allowable.

This application modifies levels 9 & 10; largely with the **elimination of the mechanical penthouse** (which, by ordinance is exempt from height calculations). With the building switching to an “all electric” design, the penthouses for mechanical uses are no longer needed, and the applicants wish to add residential square footage.

New height measurements: **North residential building:** $121'2"$ to the top of the roof deck of highest occupied level. (Compare to $122'2"$ to roof deck of mechanical penthouse previously approved.)

South residential building: 139' 3" from Bank Street average grade to roof deck of highest occupied level (compare to 142' 10" to mechanical penthouse roof in previous submission.)

As those upper structural levels will now be occupied, the “measure-to” building height changes as the top floors are proposed to be occupied; but the overall building height will be approximately 4' less than the original 2021 approval and far below than the 160' maximum allowable. **Affirmative finding.**

Section 14.6.4 Building Height

(f) Design and Public Space Standards Required for Additional Building Height

i. Design Standards: The maximum building height and mass is permitted By Right by the underlying Form District, as may be modified by the chosen Building Type and Frontage Type. However, there are a number of ways that building shape, articulations, and choice of materials can be used to reduce the perceived height and mass of taller buildings, and ensure a high quality of design that complements the character of the Downtown and Waterfront area. After consultation with the Design Advisory Board and a Public Hearing, the Development Review Board shall evaluate any proposal seeking additional Building height under each of the following additional design standards, and find affirmatively that:

- a. The proposed building presents a design that emphasizes slender, vertically-oriented proportions to assure a rich visually interesting experience as viewed within the context of the downtown skyline; reinforces opportunities for establishing points of reference for visual orientation; and provides visual interest and human scale at the pedestrian level through the use of a variety of scales, materials, fenestration, massing, or other architectural design techniques;*

This application factually decreases the building height as previously approved under ZP17-0662CA/MA and ZP 21-0414 CA/MA.

The building volume of the north residential building steps back at the 5th floor and is vertically accentuated with changes in the building plane, arrangement of windows, and introduction of varying primary materials. The roofline is accentuated with corbelling at the fourth floor level, and a bold cornice projection atop the 9th floor, north; breaking the massing up into readable building volumes. The 10th floor is further recessed from the structural massing below it.

The cornice both caps the massing, and leads the eye down the street supporting and strengthening the street plane.

The pedestrian level is enhanced with broad glazing to welcome and warm the streetfront, energizing the pedestrian experience (both Pine and St. Paul Street are now have Shopfront Façade requirements. Strong material interplay delineates both building volume and division of segregate spaces. Vertical masonry piers draw the eye upward linking the lower pedestal to the upper, recessed stories.

The southern residential building has a defined and welcoming street presence, with a first and second story height that both strengthen the street wall as they mime the building heights of the existing buildings across Bank Street. The changing grade allows for the minimum 33' height to enforce that street wall. The massing steps back above this floor, with a more uniform material

palette that continues the vertical pier element seen in the northern building. The feeling is light and buoyant; a silvery silhouette on a largely glass pedestal. Both building volumes establish points of reference for visual orientation; and provide optical interest and human scale at the pedestrian level through the use of step backs, horizontal and vertical variation, selection of materials, and other architectural design techniques to reinforce the street wall and reduce the perceived height and mass of upper stories from the street level.

and,

- b. Upper story proportions of the building are oriented and tapered and/or separated into separate masses in order to retain sky view between individual building elements from the public thoroughfare.*

The north and south buildings are clearly divided into separate volumes, allowing sky views between building elements. The upper stories are stepped back on both the north and south buildings.

The South Building will see a replacement of the Level 9 restaurant and Level 10 mechanical penthouse with two levels of housing. The project will now include a total of approximately 400-450 residential units; 85 in the west wing of the North Building (to be managed by Champlain Housing Trust); 116 in the South Building (market rate residences); and the balance in the North and East wings of the north building.

The DRB may condition approval of additional building height by reducing the By-Right building mass by no more than 10% of the total floor area of the new floors enabled by granting the additional building height. In no case shall the maximum By-Right building height be reduced.

The plan, as submitted, diminishes the pre-approved building height; nothing that would suggest a necessary concomitant reduction in building mass. This amendment reduces the 2017 approved building height by 50' (2017) and the last approval by 4' (2021).

Affirmative finding upon concurrence by the DRB.

ii. Active Public Space and Restrooms

A minimum of 20 sf/1,000 sf of the gross floor area above 85 feet shall be dedicated to active and publicly accessible upper story rooftops and terraces, and/or street-level public restrooms as follows:

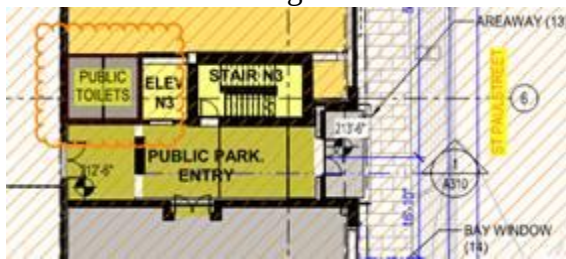
- a. Upper story rooftops and terraces must incorporate active public use such as outdoor dining with seating or other uses and activities that invite use by the public, and be located above the 7th floor. At least 25% of the space must be accessible to the general public during all regular business hours without expectation of payment or purchase.*

There is 129,855 sq. ft. on floor levels more than 85' above grade, requiring 2,597 sq. ft. of accessible roof terrace, 260 square feet of public restroom space, or some combination of the two. With the rooftop restaurant no longer in the program, insurance challenges and no way to

supervise rooftop access, the compliance path will be publicly accessible ground level restrooms to be accessed via Pine, Bank, or St. Paul Street.

- b. *Public restroom may count towards the public space requirement above at a ratio of 10:1. Public restrooms must be located on the ground floor, have a minimum size of 50 sq. ft., be signed from the public street, be actively monitored and maintained, and be open to the public during all regular business hours. Placement of a public restroom in partnership with the City within an adjacent public space or the public ROW may be acceptable with the concurrence of the respective responsible City department and provided actual development costs and projected 20 year maintenance costs are paid by the applicant.*

The locations have been identified and are in future phases of construction, all are at the ground level and total slightly more than the 260 sq. ft. required based on 129,000sf of floor area on levels >85 feet above grade:



Affirmative finding.

II. Conditions of Approval

1. Impact fees will be recalculated for those areas with new use (restaurant – to – residential) and the new vertical addition to the east wing of the north building. The applicant shall confirm the area breakdown for staff calculation. Additionally, the applicant shall provide the area of Inclusionary Housing units to exclude that area from overall Impact Fee requirements.
2. Impact Fees shall be paid at least seven (7) days prior to occupancy of a new building or any portion thereof.
3. The final calculations for the number of inclusionary units shall be determined by the Housing Trust Fund Manager **prior to the issuance of a Certificate of Occupancy.**

4. The cumulative increase of 50 or more dwelling units within a 12 month period shall trigger Major Impact Review. Under this permit, the unit count may not exceed **475 dwelling units** (Zoning Permit 21-0414CA/MA; 20-0717 in Open Gov) approved 426 dwelling units + 49 units = 475.
5. All utility service connections shall be undergrounded.
6. **Prior to issuance of the Certificate of Occupancy**, the applicant shall provide the increase in the number of residential bedrooms to appropriately adjust the Long Term bike parking requirement. Staff shall confirm compliance.
7. In lieu of upper story rooftops or terraces accessible to the public, the applicant shall provide a minimum of 260 sq. ft. of public restroom(s). Public restrooms must be located on the ground floor, have a minimum size of 50 sq. ft., be signed from the public street, be actively monitored and maintained, and be open to the public during all regular business hours.
8. Street-facing, street-level window area must remain unobstructed up to a minimum interior depth of 8 feet, with the exception of obstructions such as street-facing window signs or product displays that do not take up more than 25% of the total window area. Windows cannot be made opaque by window treatments except for operable sunscreen devices within the conditioned space. External security shutters are not permitted.
9. Any conditions of ZP-21-0414CA/MA (20-0717 Open Gov) not herein altered shall remain in effect.
10. Standard Permit Conditions 1-15.

NOTE: These are staff comments only. The Development Review Board, who may approve, table, modify, or deny projects, makes decisions.

CITYPLACE BURLINGTON

ZONING SUBMISSION

October 15, 2020

Amendment Revision 4, April 12, 2023

Updated May 12, 2023



freeman | french | freeman

81 Maple Street • Burlington Vermont 05401
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NOT FOR CONSTRUCTION

11/19/2025 3:27:13 PM

DRAWING INDEX

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- COVER SHEET
 - A000.1 INDEX
 - PLAT PLAN

- Civil Drawings
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 - C102 DEMOLITION PLAN
 - C103 SITE PLAN
 - C104 GRADING PLAN
 - C105 UTILITY PLAN
 - C106 EROSION PREVENTION & SEDIMENT CONTROL PLAN
 - C201 ST. PAUL STREET PROFILE
 - C203 PINE STREET PROFILE
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- Architectural Drawings
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 - A107 OVERALL PLAN - LEVEL 7
 - A108 OVERALL PLAN - LEVEL 8
 - A109 OVERALL PLAN- LEVEL 9
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 - A111 OVERALL ROOF PLAN
 - A200 EXTERIOR ELEVATIONS
 - A201 EXTERIOR ELEVATIONS
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 - AE100 WEST ELEVATION, CHURCH STREET DETAIL
 - AE113 ENABLING PLAN - ROOF
 - AE201 ENABLING EXTERIOR ELEVATION - SOUTH
 - AL001 LEVEL 1 - GARAGE LIGHTING
 - AL002 LEVEL 2 - GARAGE LIGHTING
 - AL003 LEVEL 3 - GARAGE LIGHTING
 - AL004 STREET AND SIDEWALK LIGHTING

SHEETS LISTED IN BOLD HAVE BEEN UPDATED FOR THIS "REVISION 4" AMENDMENT SUBMISSION



CITYPLACE
BURLINGTON
ZONING AMENDMENT, NOT FOR CONSTRUCTION

CityPlace Partners, LLC
110 Main Street, Burlington, VT 05401

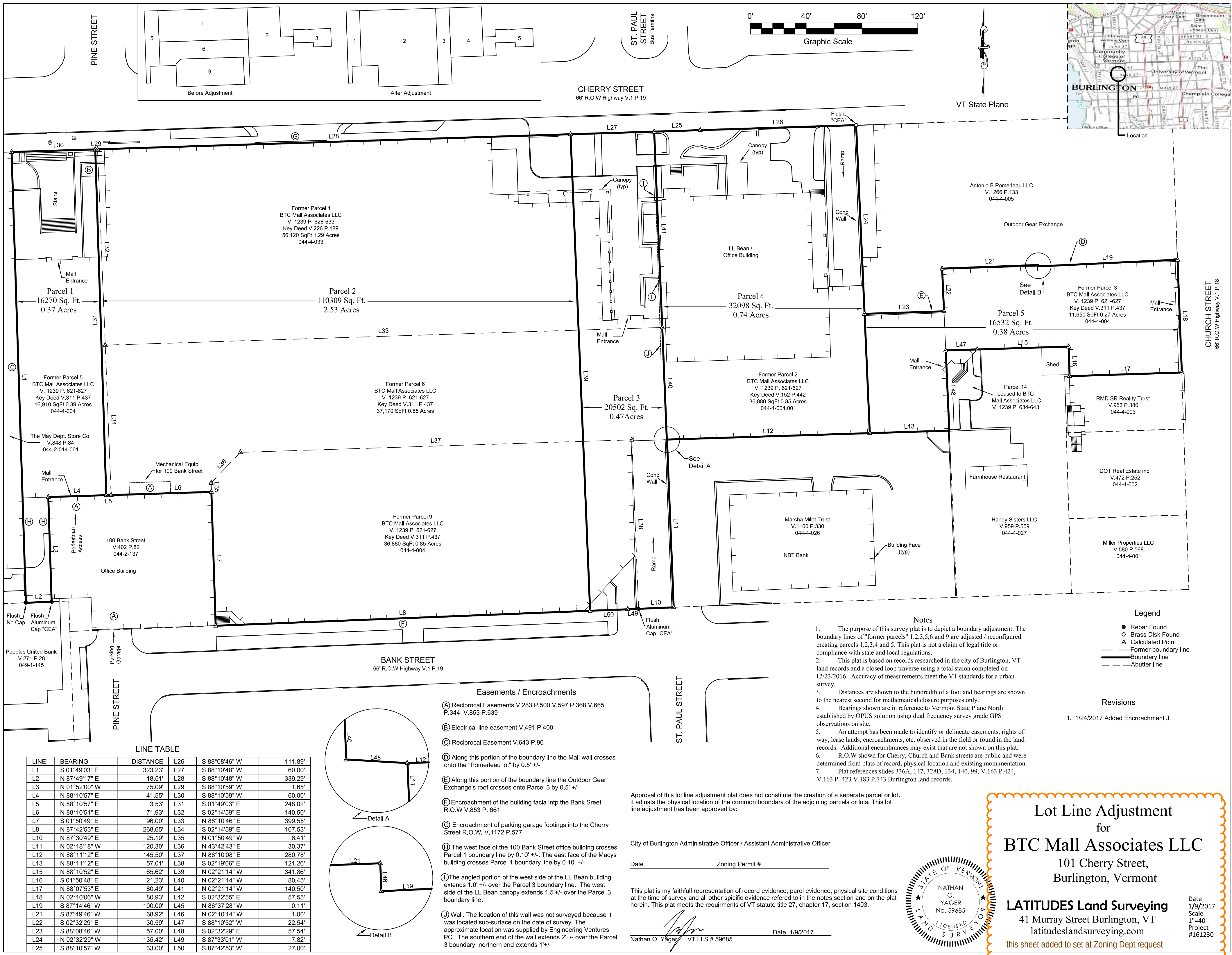
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ORIGINATOR DATE:	SCALE:
03/XX/2020	
DRAWN BY:	CHECKED BY:
NE	JDR
ISSUE LOG:	
Zoning Submission	15 Oct 2020
Submission Clarifications	9 Nov 2020
Rev. 2	15 Jan 2021
Rev. 3	19 Feb 2021
Rev. 4	12 Apr 2021

SHEET CONTENTS:

INDEX

SHEET NO:
A000.1

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Lot Line Adjustment
for
BTC Mall Associates LLC
101 Cherry Street,
Burlington, Vermont

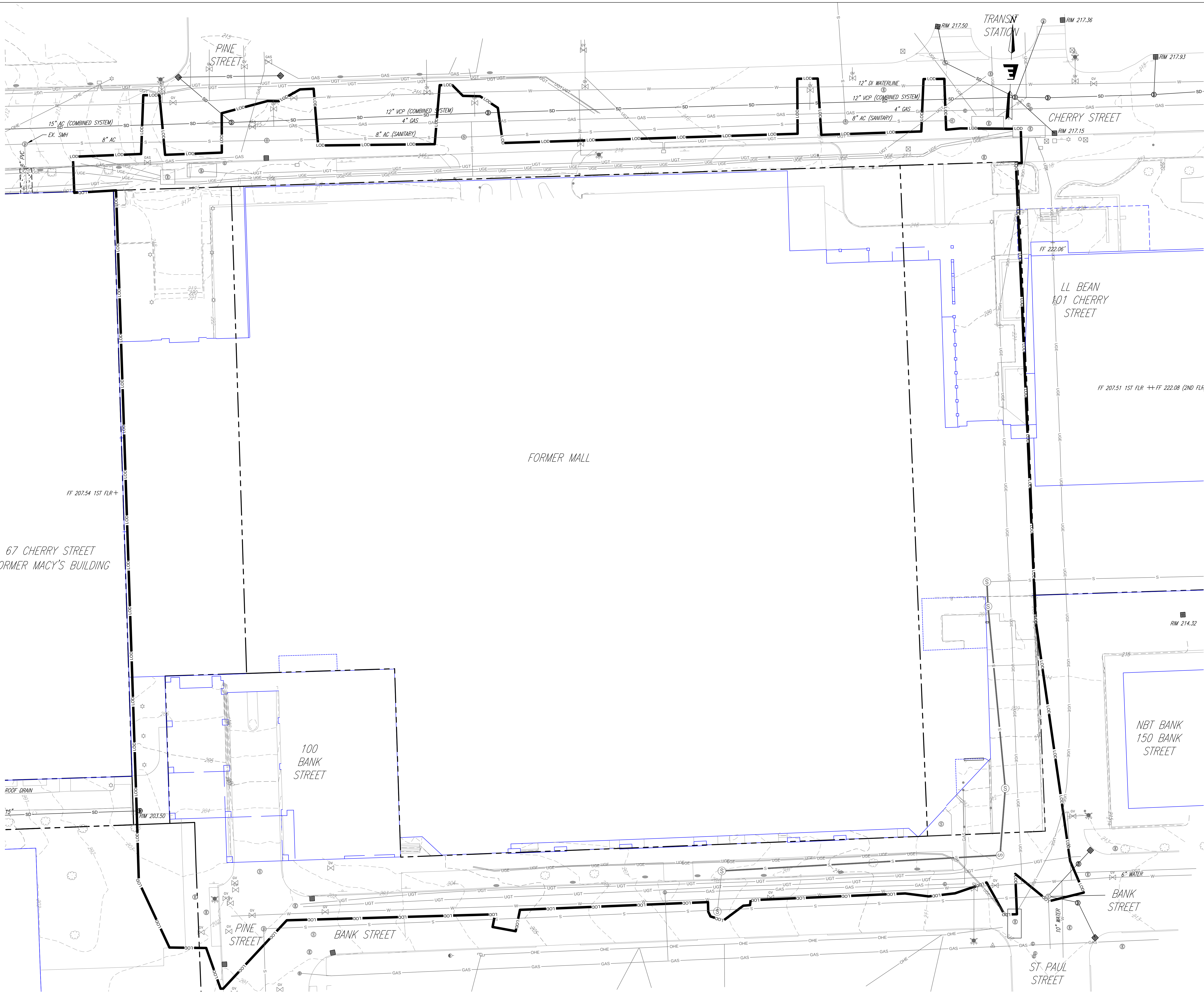
LATITUDES Land Surveying

41 Murray Street Burlington, VT
latitudeslandsurveying.com

this sheet added to set at Zoning Dept request

STATE OF VERMONT
NATHAN O. YAGER
No. 59685
LAND SURVEYOR

Date
1/9/2017
Scale
1"=40'
Project
#161230



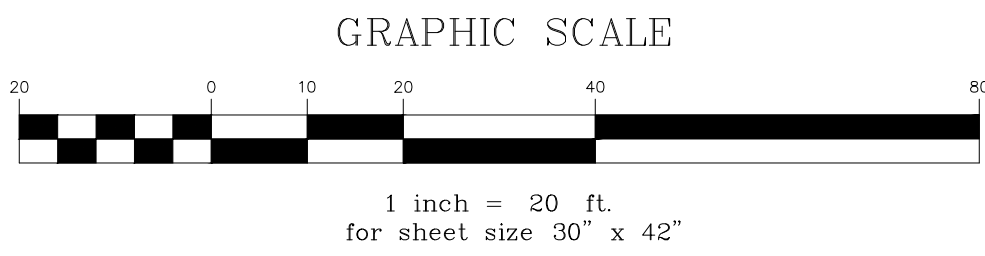
EXISTING CONDITIONS LEGEND

- BOLLARD
- SN
- PARKING METER
- MINOR CONTOUR
- MAJOR CONTOUR
- WATERLINE/GATE VALVE/HYDRANT
- SANITARY SEWER LINE/MANHOLE
- STORM LINE/CATCH BASIN/MANHOLE
- NATURAL GAS LINE/VALVE
- OVERHEAD ELECTRIC/SITE LIGHT
- UNDERGROUND ELECTRIC/PULL BOX
- UNDERGROUND TELECOM/PULL BOX

SURVEY NOTES

INFORMATION DEPICTED ON THIS PLAN HAS BEEN COLLECTED FROM A VARIETY OF SOURCES INCLUDING THE FOLLOWING:
1. TOPOGRAPHIC SURVEYS BY LATITUDES LAND SURVEY, PC, NATE YAGER, LLS OCT. AND NOV. 2016.
2. UTILITY RECORD DRAWINGS
3. CITY OF BURLINGTON RECORD DRAWINGS
4. CITY OF BURLINGTON GIS
5. CITY OF BURLINGTON TAX MAPS

NOT ALL INFORMATION IS ACCURATE OR CURRENT. SUBSURFACE CONDITIONS SHOWN ON THESE PLANS ARE APPROXIMATE ONLY. ACTUAL CONDITIONS MAY BE MATERIALLY DIFFERENT.



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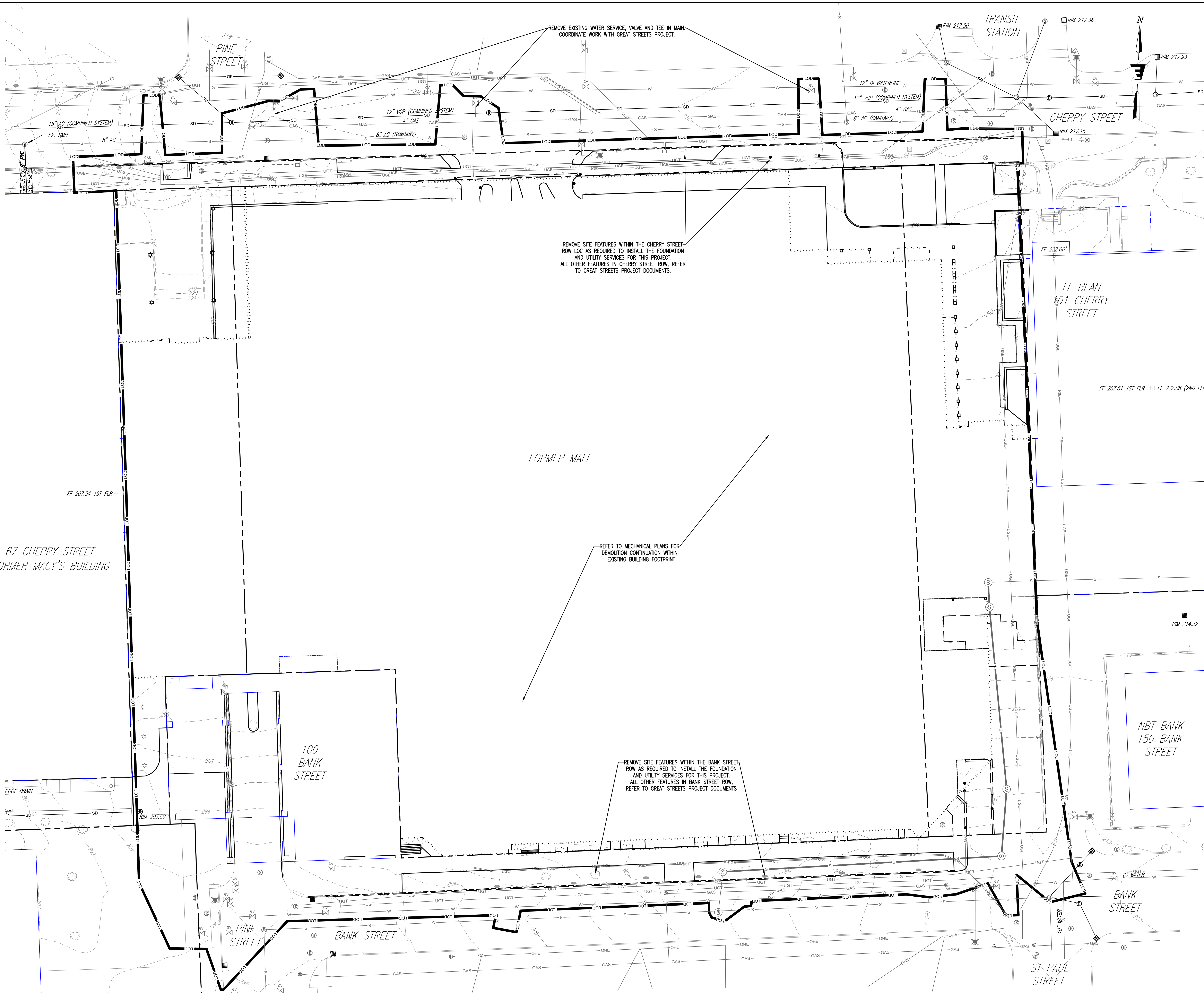
CITYPLACE
BURLINGTON
ZONING SUBMISSION - NOT FOR CONSTRUCTION

OWNER
BTC MALL ASSOCIATES, LLC
A PROJECT BY
DEVONWOOD INVESTORS, LLC
DEVELOPMENT MANAGING DIRECTOR

PROJECT NO.	CONSULTANT PROJECT NO.
A1947.00	14660
ORIGIN DATE:	SCALE:
10/15/20	As Indicated
DRAWN BY:	CHECKED BY:
HKW	KW
DATE LOG:	DATE LOG:
Zoning Submission	15 Oct 2020

SHEET CONTENTS:
Existing
Conditions
Plan

SHEET NO.
C-101



EXISTING CONDITIONS LEGEND

- BOLLARD
- SN
- PARKING METER
- MINOR CONTOUR
- MAJOR CONTOUR
- 25.1
- 25.0
- WATERLINE/GATE VALVE/HYDRANT
- SANITARY SEWER LINE/MAINHOLE
- STORM LINE/CATCH BASIN/MAINHOLE
- NATURAL GAS LINE/VALVE
- OHE
- UNDERGROUND ELECTRIC/PULL BOX
- UGT
- UNDERGROUND TELECOM/PULL BOX

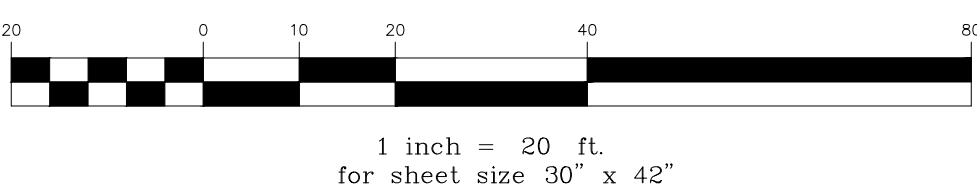
DEMOLITION LEGEND

- BUILDING
- EDGE OF PAVEMENT/CURB

GENERAL DEMOLITION NOTES

- NO DEMOLITION SHALL COMMENCE UNTIL THE SITE IS PROPERLY PREPARED FOR CONSTRUCTION AS SHOWN ON THE EROSION PREVENTION AND SEDIMENT CONTROL PLAN.
- LOCATIONS OF EXISTING UTILITIES SHOWN ARE COMPILED FROM A VARIETY OF SOURCES, AND MAY NOT BE FULLY REPRESENTATIVE OF UNDERGROUND CONDITIONS. THE CONTRACTOR SHALL EXERCISE REASONABLE CARE DURING EXCAVATION IN THE AREA OF KNOWN UNDERGROUND UTILITIES AND STRUCTURES, INCLUDING HAND EXCAVATION.
- NOTIFY THE OWNER IF UTILITIES NOT NOTED ON THE DRAWINGS ARE FOUND, OR IF SIGNIFICANT VARIATION IS FOUND IN EXISTING UTILITY CONFIGURATION.
- CARE SHALL BE TAKEN NOT TO DAMAGE OR DISTURB ANY FEATURES NOT INDICATED FOR REMOVAL DURING CONSTRUCTION.
- PROVIDE TEMPORARY OR PERMANENT STABILIZATION OF ALL RESULTING DISTURBED AREAS IN ACCORDANCE WITH THE EROSION PREVENTION AND SEDIMENT CONTROL PLANS.
- REFER TO ARCHITECTURAL, MECHANICAL, ELECTRICAL, PLUMBING, LANDSCAPE, AND STRUCTURAL DESIGN DRAWINGS FOR ADDITIONAL WORK ITEMS AND SPECIFIC DEMOLITION INFORMATION.
- CONTRACTOR SHALL COORDINATE PHASING AND DEMOLITION WITH ALL TRADES.
- SEE MECHANICAL AND ELECTRICAL PLANS FOR REQUIRED PROTECTION, DEMOLITION, AND/OR TEMPORARY RE-ROUTING OF STEAM, ELECTRICAL, AND TELECOM LINES.
- THE CONTRACTOR MAY NOT HAVE ACCESS TO PERFORM WORK ON THE ENTIRE SITE AT ALL TIMES. THE CONTRACTOR SHALL PROVIDE THE OWNER WITH A WORK SCHEDULE PROJECTING WORK AREAS AND TIMING AND EXTENDING AT LEAST 2 WEEKS AHEAD.
- COORDINATE WITH THE OWNER PRIOR TO BEGINNING WORK IN ANY AREA.
- THE CONTRACTOR SHALL PROVIDE TEMPORARY FENCING AND VEHICLE BARRIERS TO PREVENT ACCESS TO THE WORK AREA BY UNAUTHORIZED PERSONS NOT PROTECTED BY OTHER MEANS.
- ALL DEMOLISHED MATERIALS SHALL BE DISPOSED OF IN ACCORDANCE WITH THE WASTE MANAGEMENT PLAN DEVELOPED BY THE CONTRACTOR AND APPROVED IN ADVANCE BY OWNER.
- IF HAZARDOUS SOILS OR MATERIALS ARE DISCOVERED OR KNOWN, THE CONTRACTOR SHALL DEVELOP A SOIL MANAGEMENT PLAN THAT IS APPROVED BY THE VERMONT AGENCY OF NATURAL RESOURCES WASTE MANAGEMENT DIVISION.
- CONTRACTOR SHALL MAINTAIN GRADES AT ALL TIMES DURING DEMOLITION ACTIVITIES SUCH THAT WATER DRAINS AWAY FROM ALL BUILDINGS AND OTHER INFRASTRUCTURE WHICH IS NOT INDICATED FOR DEMOLITION. NO LOCATIONS SHALL HAVE STANDING WATER.
- THE CONTRACTOR SHALL SEQUENCE DEMOLITION WORK TO MAINTAIN ACTIVE WATER LINES SUPPLYING FIRE SPRINKLERS TO ALL BUILDINGS PROPOSED TO BE DEMOLISHED UNTIL DEMOLITION WORK ON THAT BUILDING OR PORTION OF BUILDING HAS COMMENCED TO A POINT WHICH THE LOCAL FIRE MARSHAL NO LONGER REQUIRES FIRE PROTECTION FOR THAT BUILDING OR PORTION OF BUILDING. COSTS FOR ANY FIRE PROTECTION REQUIREMENTS RESULTING FROM UNPLANNED INTERRUPTION OF SPRINKLER SERVICE BY THE CONTRACTOR'S ACTIONS OR INACTIONS WILL BE BORNE BY THE CONTRACTOR.
- PRIOR TO DEMOLISHING BUILDINGS OR PORTIONS OF BUILDINGS, THE CONTRACTOR MAY NEED TO PERFORM WORK TO TEMPORARILY INSTALL LINE STOPS ON ACTIVE WATER MAINS TO REMOVE A BUILDING WATER SERVICE. THE LOCATION OF THIS WORK IS NOT SHOWN ON THE PLANS. THE CONTRACTOR SHALL DETERMINE THE LOCATION OF THIS WORK IN ACCORDANCE WITH THE CONTRACTOR'S PROPOSED DEMOLITION SEQUENCE AND ACCOMPLISH THIS WORK ACCORDINGLY.
- AT NO TIME IS WATER SERVICE OR OTHER UTILITIES TO BE DISRUPTED TO OCCUPIED BUILDINGS, UNLESS APPROVED IN ADVANCE BY THE OWNER AND CITY. THE CONTRACTOR MAY TEMPORARILY INTERRUPT WATER SERVICE TO ABANDONED BUILDINGS FOR THE MINIMUM AMOUNT OF TIME TO DISCONNECT AND CAP THE EXISTING BUILDING SCHEDULED FOR IMMEDIATE DEMOLITION. AT NO TIME SHALL THE INTERRUPTION BE GREATER THAN 6 HOURS AND A FIRE WATCH SHALL BE MAINTAINED.
- THE CONTRACTOR SHALL NOT OPERATE ANY WATER VALVE UNLESS THEY HAVE RECEIVED PRIOR AUTHORIZATION FROM THE CITY. (EXCEPT AS REQUIRED IN THE EVENT OF A WATER LINE BREAK).
- FOR ALL BUILDINGS WHICH ARE SHOWN TO BE DEMOLISHED: THE CONTRACTOR SHALL CAP OR APPROPRIATELY TERMINATE ALL EXISTING UTILITIES INCLUDING, BUT NOT LIMITED TO WATER, SEWER, STORM, FUEL, ELECTRICAL, AND COMMUNICATIONS LINES AT THE LIMIT OF CONSTRUCTION, OR WHERE SHOWN AT THE MAIN.
- NOT ALL POINTS OF CONNECTION FOR EXISTING UTILITIES ARE SHOWN ON THE PLANS. THE CONTRACTOR SHALL PROTECT IN-PLACE THE UTILITY TO REMAIN IN SERVICE AND TERMINATE THE BUILDING'S CONNECTION TO THE UTILITY AT THE POINT OF CONNECTION. IF THE CONTRACTOR IS UNABLE TO PROTECT IN PLACE THE UTILITY WHICH IS TO REMAIN IN SERVICE, THE CONTRACTOR SHALL REPLACE THE DAMAGED SECTION OF THE UTILITY.
- THE CONTRACTOR SHALL DEMOLISH, IN ACCORDANCE WITH THE SPECIFICATIONS, ALL BUILDINGS AND FOUNDATIONS THAT ARE INDICATED AS BEING DEMOLISHED.
- THE CONTRACTOR SHALL PROTECT IN-PLACE ALL EXISTING FACILITIES INCLUDING BUT NOT LIMITED TO OTHER BUILDINGS NOT SCHEDULED FOR DEMOLITION BY CONTRACTOR, WATERLINES, SEWERLINES, STORMLINES, TELECOM, HEATING AND COOLING LINES, UNDERGROUND STORAGE TANKS, MONITORING WELLS, UTILITY POLES, AND ASSOCIATED PIPING, ALONG WITH ALL OTHER SITE UTILITIES AND TREES INDICATED FOR PROTECTION, AND OTHER IMPROVEMENTS WHICH MAY NOT BE SHOWN ON THE PLAN. TO PROTECT EXISTING FACILITIES, THE CONTRACTOR SHALL PROVIDE SHORING, TEMPORARY SUPPORTS, AND/OR SEQUENCING AS NEEDED TO PROTECT THE EXISTING FACILITIES FROM DAMAGE.
- THE CONTRACTOR SHALL DEMOLISH, UNLESS OTHERWISE INSTRUCTED BY THE OWNER, ALL MECHANICAL AND ELECTRICAL EQUIPMENT AND THEIR FOUNDATIONS THAT SOLELY SERVE A BUILDING INDICATED FOR DEMOLITION.
- CONTRACTOR SHALL PROVIDE TEMPORARY MEASURES NECESSARY TO MAINTAIN SEWER SERVICE TO OCCUPIED BUILDINGS.

GRAPHIC SCALE



67 CHERRY STREET
FORMER MACY'S BUILDING

FORMER MALL

REFER TO MECHANICAL PLANS FOR
DEMOLITION CONTINUATION WITHIN
EXISTING BUILDING FOOTPRINT

REMOVE SITE FEATURES WITHIN THE BANK STREET
ROW AS REQUIRED TO INSTALL THE FOUNDATION
AND UTILITY SERVICES FOR THIS PROJECT.
ALL OTHER FEATURES IN BANK STREET ROW,
REFER TO GREAT STREETS PROJECT DOCUMENTS.

NBT BANK
150 BANK STREET

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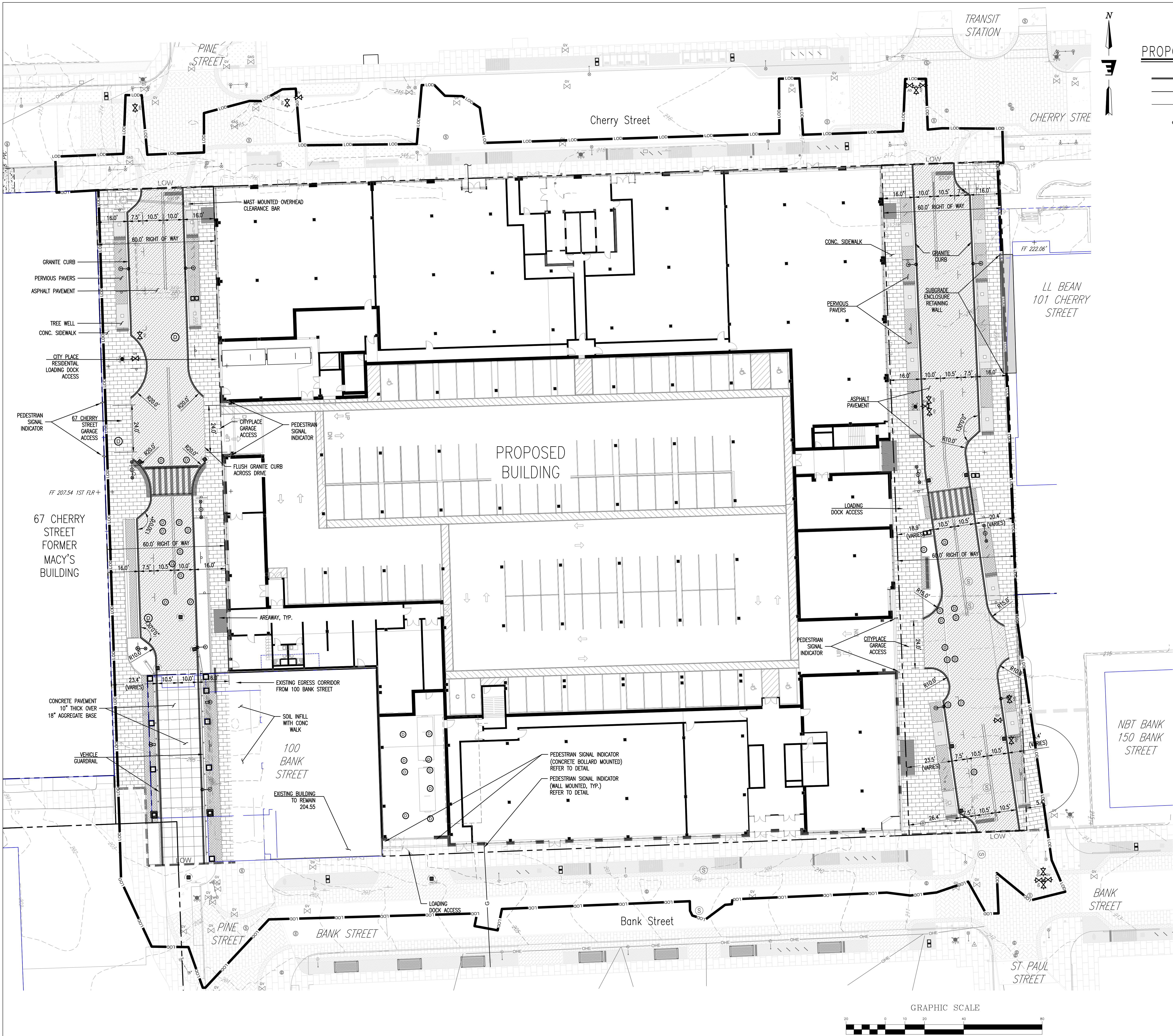
OWNER
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A PROJECT BY
DEVONWOOD INVESTORS, LLC
DON SHINE, MANAGING DIRECTOR

PROJ. NO.	CONSTRUCTION NO.
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HWK	KW
ISSUE LOG:	
Zoning Submission	15 Oct 2020

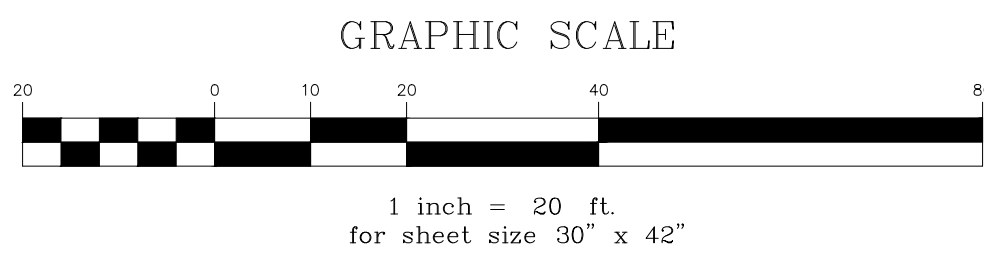
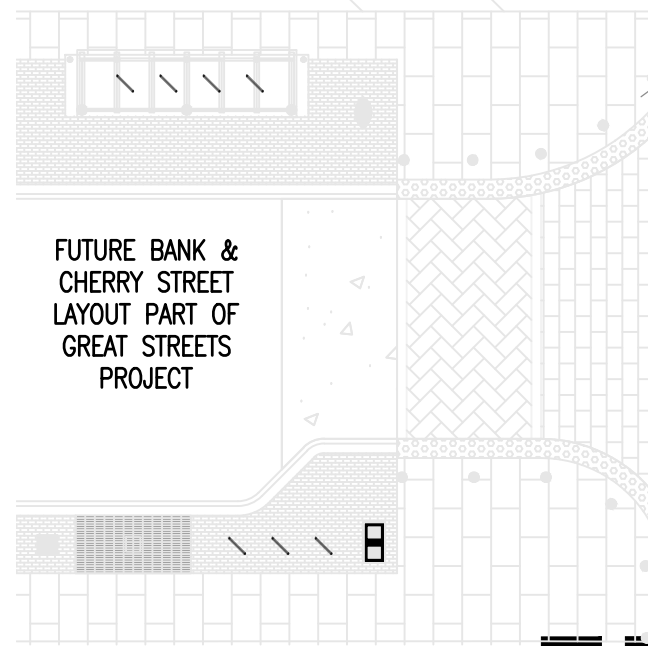
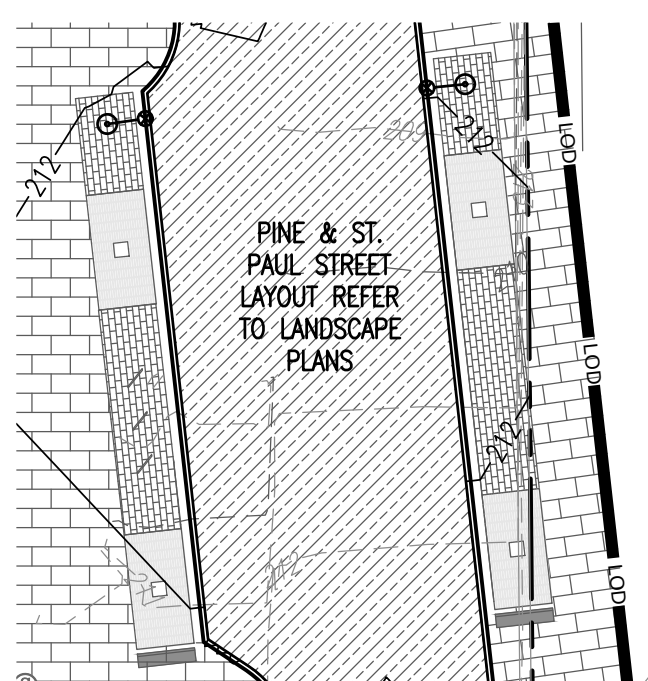
Demolition
Plan

C-102



PROPOSED FEATURES LEGEND

- EDGE OF PAVEMENT/CURB
- 250 MAJOR CONTOUR
- 251 MINOR CONTOUR
- SIGN
- SITE LIGHT
- CATCH BASIN
- DRAINAGE MANHOLE
- WATER VALVE
- HYDRANT
- SEWER MANHOLE



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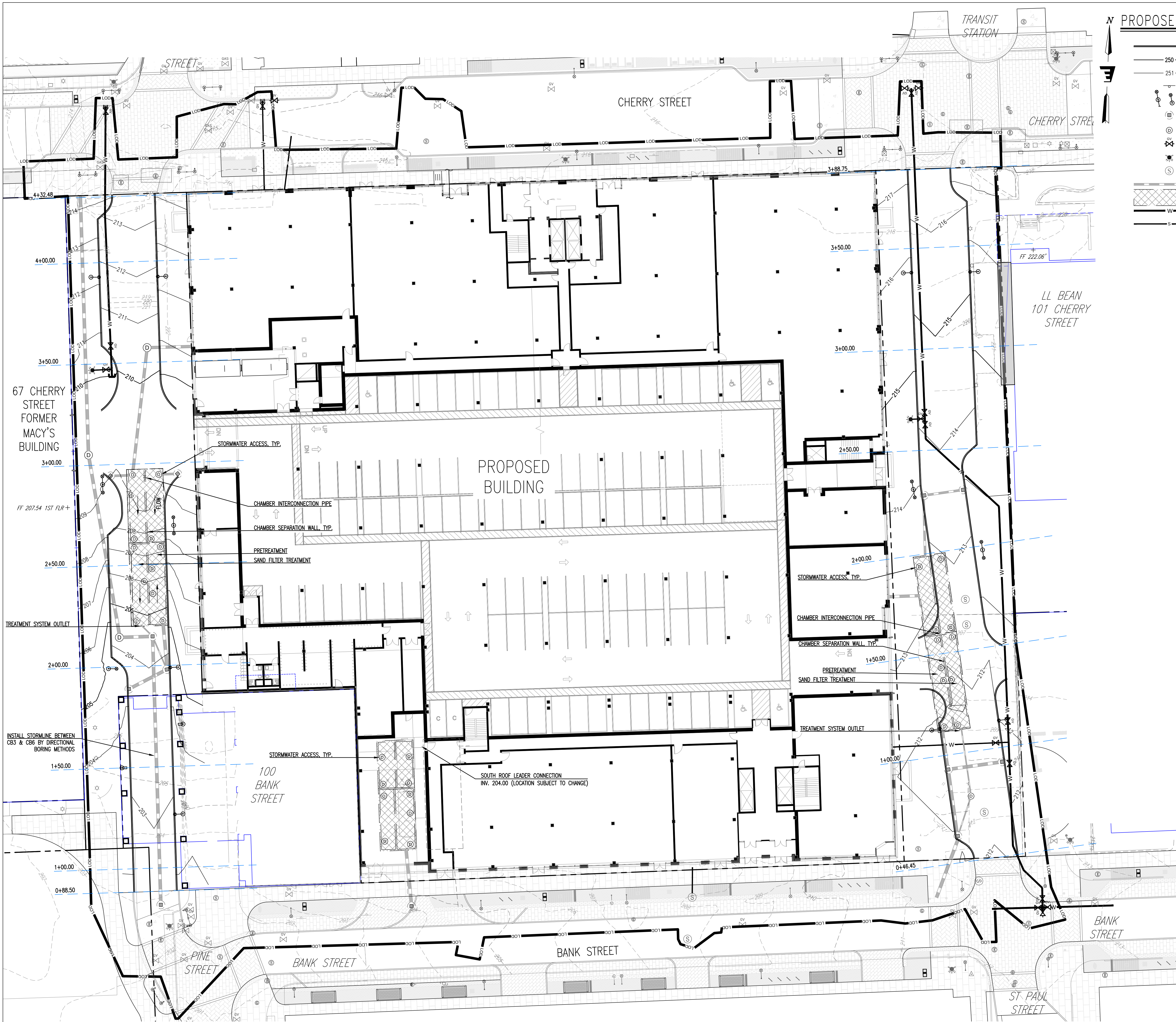
ISSUE LOG:
Zoning Submission
15 Oct 2020

SHEET CONTENTS:

Site Plan

SHEET NO.
C-103

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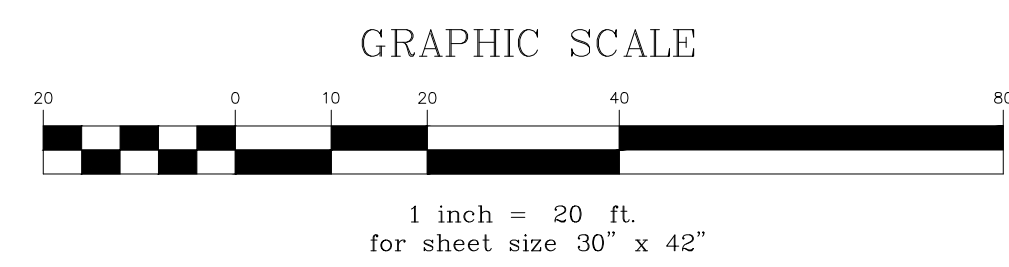


PROPOSED FEATURES LEGEND

- EDGE OF PAVEMENT/CURB
- 250 MAJOR CONTOUR
- 251 MINOR CONTOUR
- SIGN
- SITE LIGHT
- CATCH BASIN
- DRAINAGE MANHOLE
- WATER VALVE
- HYDRANT
- SEWER MANHOLE
- STORM PIPE
- SUBSURFACE STORMWATER TREATMENT AREA
- W WATER MAIN/WATER SERVICE LINE
- S SEWER MAIN/SEWER SERVICE LINE

EXISTING CONDITIONS LEGEND

- BOLLARD
- SN
- PARKING METER
- MINOR CONTOUR
- MAJOR CONTOUR



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Zoning Submission	15 Oct 2020

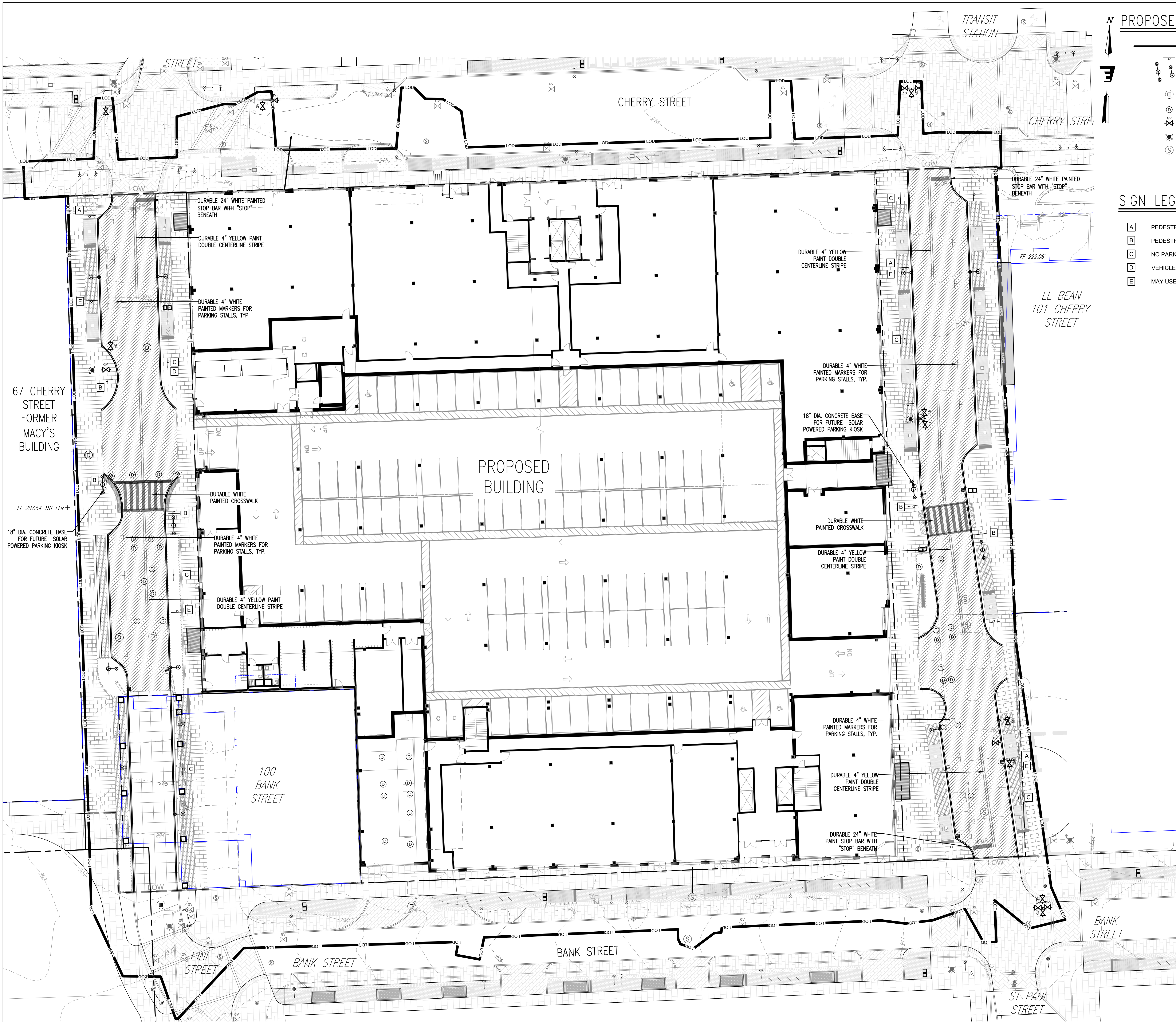
SHEET CONTENTS:

Stationing
Plan

SHEET NO.

C-103A

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PROPOSED FEATURES LEGEND

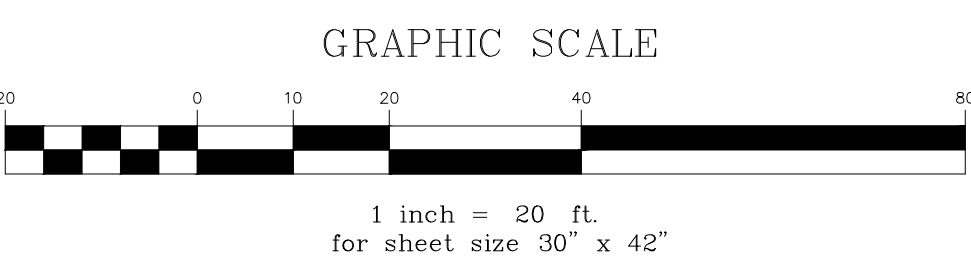
- EDGE OF PAVEMENT/CURB
- SIGN
- SITE LIGHT
- CATCH BASIN
- DRAINAGE MANHOLE
- WATER VALVE
- HYDRANT
- SEWER MANHOLE

EXISTING CONDITIONS LEGEND

- BOLLARD
- SIGN
- PARKING METER
- MINOR CONTOUR
- MAJOR CONTOUR

SIGN LEGEND

- A PEDESTRIANS
- B PEDESTRIAN CROSSING, YIELD
- C NO PARKING THIS SIDE OF STREET
- D VEHICLE LOADING/LIMITED PARKING
- E MAY USE FULL LANE/SHARE THE ROAD



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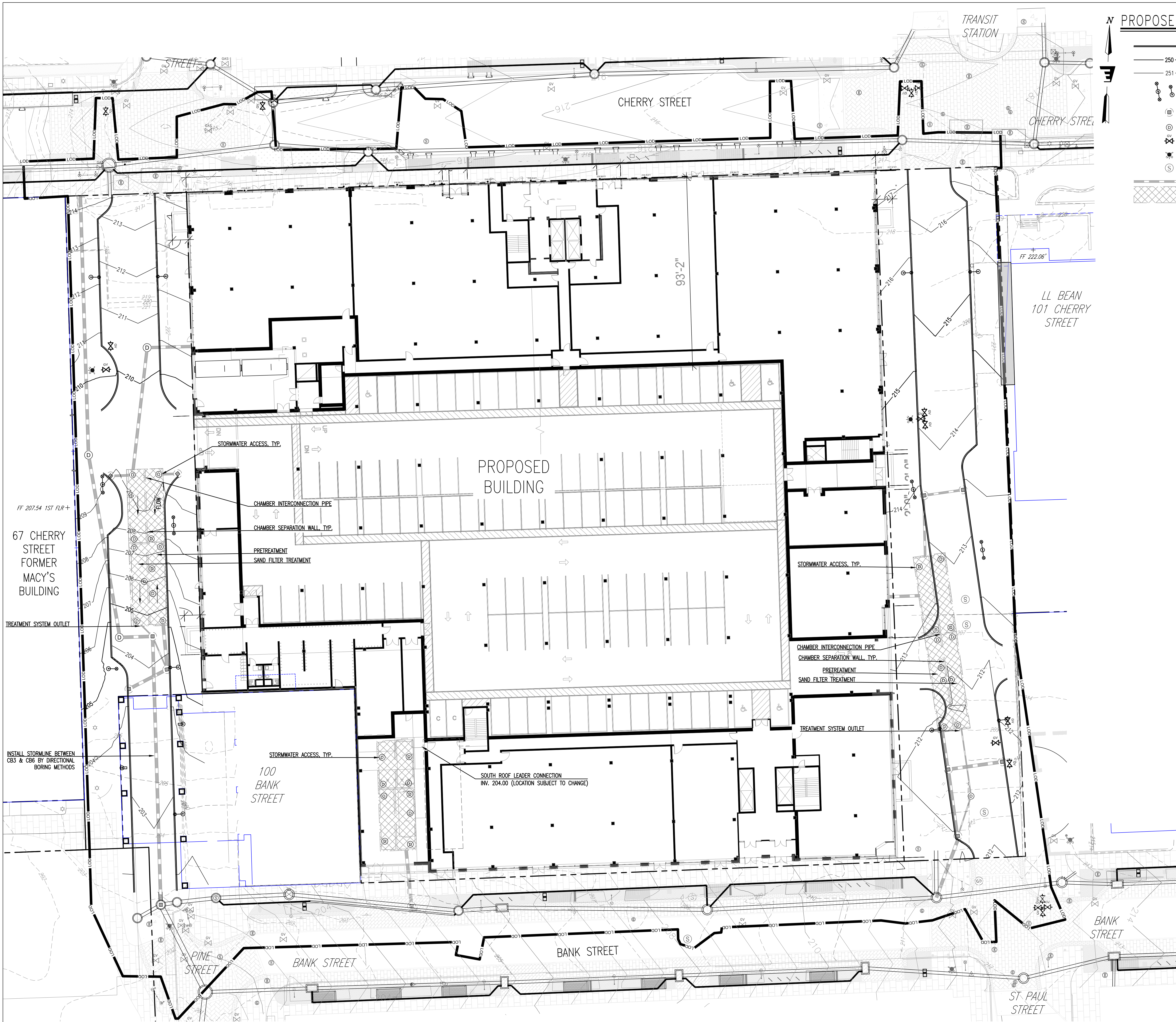
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SHEET CONTENTS:
Sign & Pavement Marking Plan

SHEET NO:
C-103B

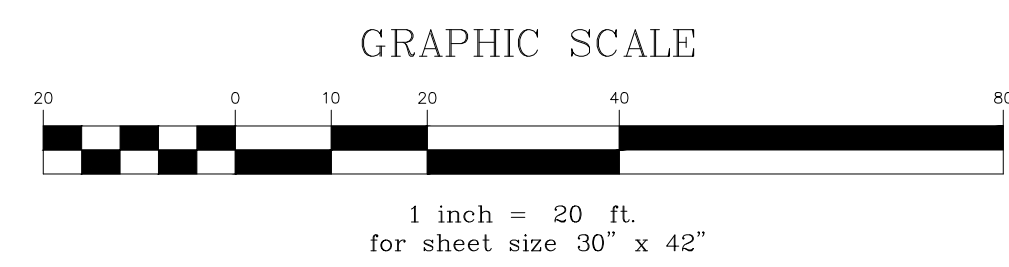


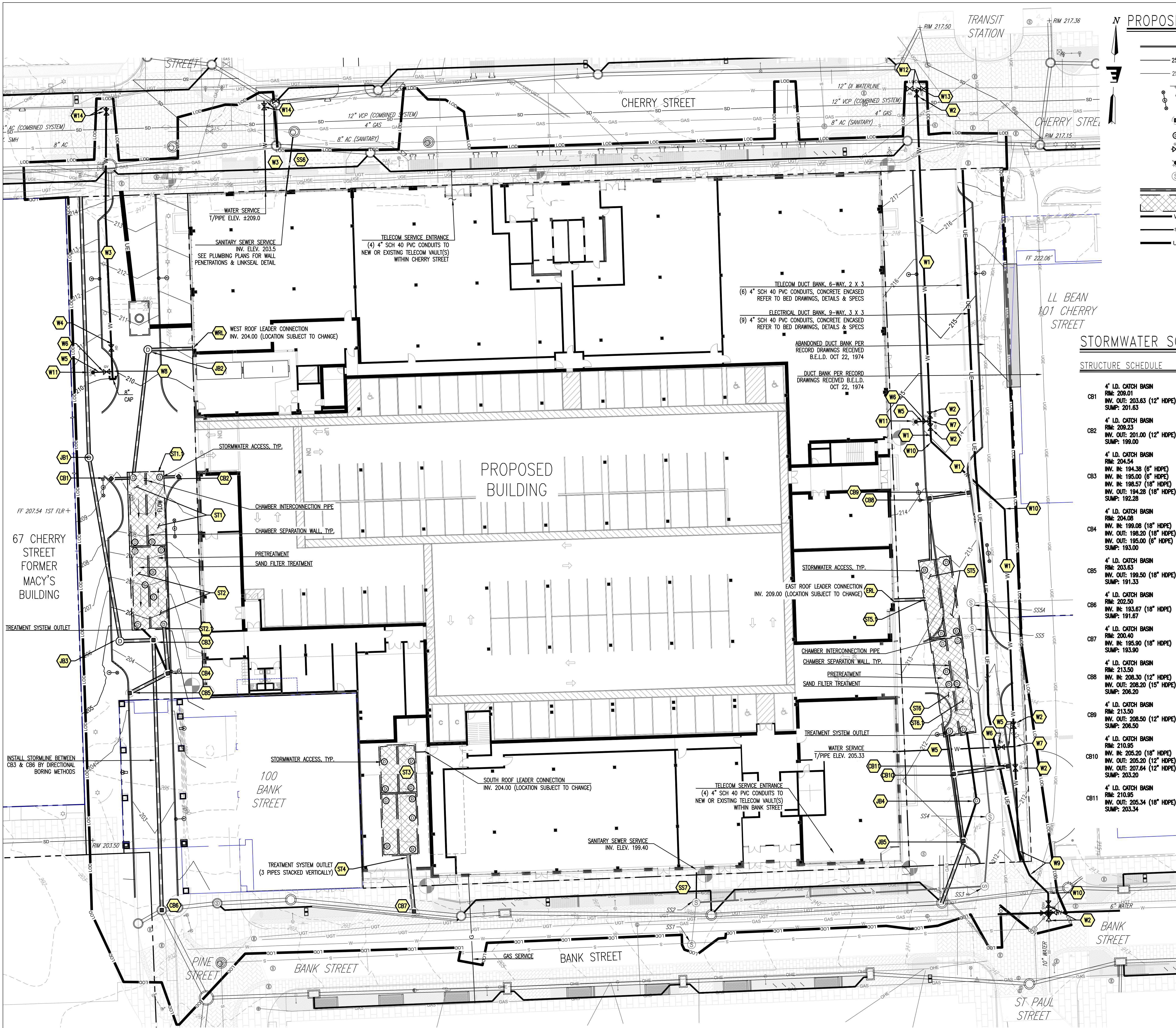
PROPOSED FEATURES LEGEND

- EDGE OF PAVEMENT/CURB
- 250 MAJOR CONTOUR
- 251 MINOR CONTOUR
- SITE LIGHT
- CATCH BASIN
- DRAINAGE MANHOLE
- WATER VALVE
- HYDRANT
- SEWER MANHOLE
- STORM PIPE
- SUBSURFACE STORMWATER TREATMENT AREA

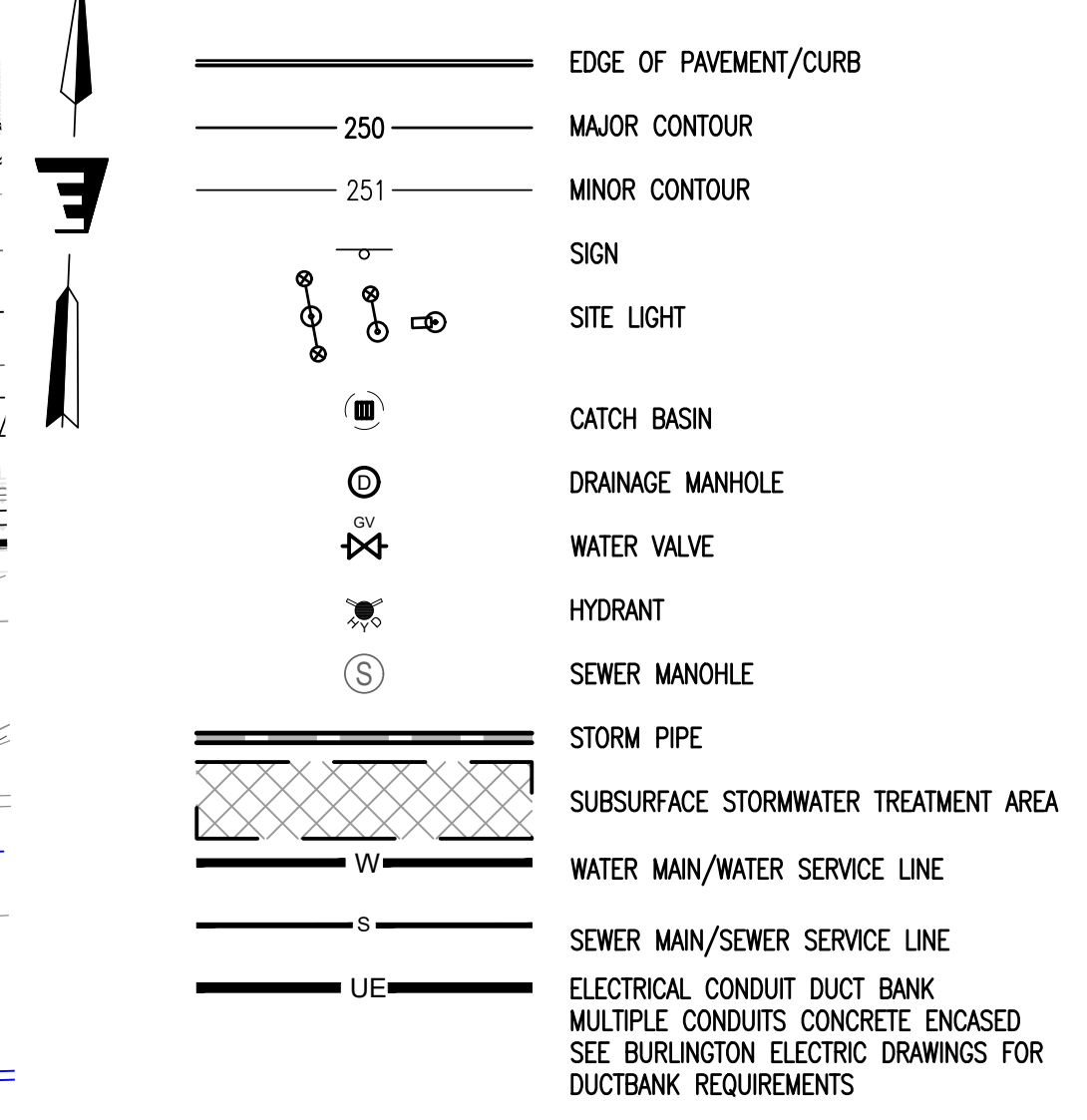
EXISTING CONDITIONS LEGEND

- BOLLARD
- SN
- PARKING METER
- MINOR CONTOUR
- MAJOR CONTOUR

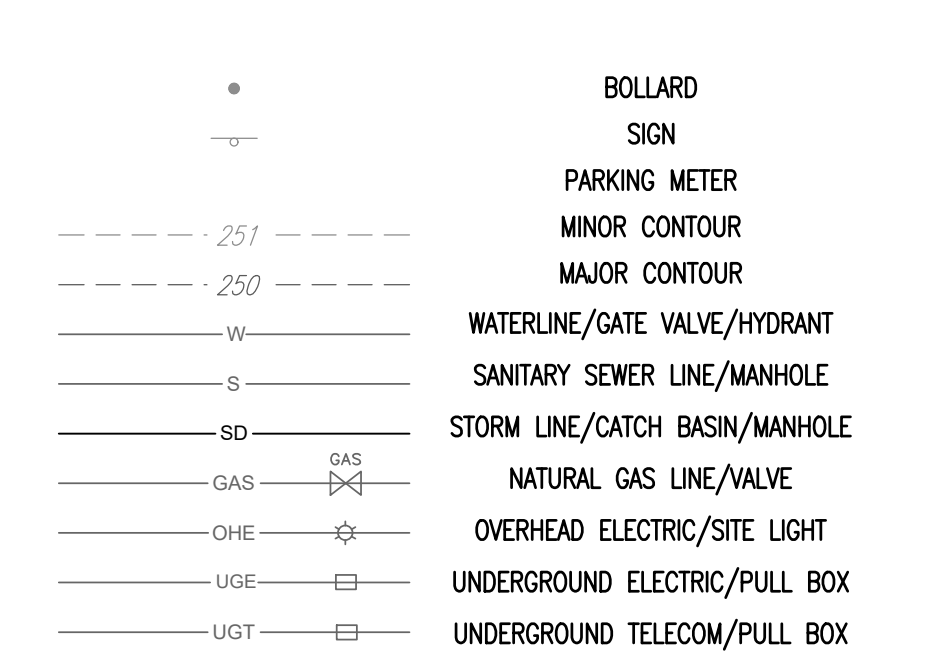




PROPOSED FEATURES LEGEND



EXISTING CONDITIONS LEGEND



STORMWATER SCHEDULE

STRUCTURE SCHEDULE

CB1	4" I.D. CATCH BASIN RM: 209.01 INV. OUT: 203.63 (12" HDPE) SUMP: 201.63
CB2	4" I.D. CATCH BASIN RM: 208.23 INV. OUT: 201.00 (12" HDPE) SUMP: 199.00
CB3	4" I.D. CATCH BASIN RM: 204.54 INV. IN: 194.38 (6" HDPE) INV. IN: 195.00 (6" HDPE) INV. OUT: 198.57 (18" HDPE) SUMP: 192.28
CB4	4" I.D. CATCH BASIN RM: 204.08 INV. IN: 198.08 (18" HDPE) INV. OUT: 198.20 (18" HDPE) INV. OUT: 195.00 (6" HDPE) SUMP: 193.00
CB5	4" I.D. CATCH BASIN RM: 203.63 INV. OUT: 199.50 (18" HDPE) SUMP: 191.33
CB6	4" I.D. CATCH BASIN RM: 202.50 INV. IN: 193.57 (18" HDPE) SUMP: 191.57
CB7	4" I.D. CATCH BASIN RM: 200.40 INV. IN: 195.90 (18" HDPE) SUMP: 193.90
CB8	4" I.D. CATCH BASIN RM: 213.50 INV. IN: 208.30 (12" HDPE) INV. OUT: 208.20 (15" HDPE) SUMP: 206.20
CB9	4" I.D. CATCH BASIN RM: 213.50 INV. OUT: 208.50 (12" HDPE) SUMP: 206.50
CB10	4" I.D. CATCH BASIN RM: 210.95 INV. IN: 205.20 (18" HDPE) INV. OUT: 205.20 (12" HDPE) SUMP: 203.20
CB11	4" I.D. CATCH BASIN RM: 210.95 INV. OUT: 205.34 (18" HDPE) SUMP: 203.34

PIPE SCHEDULE

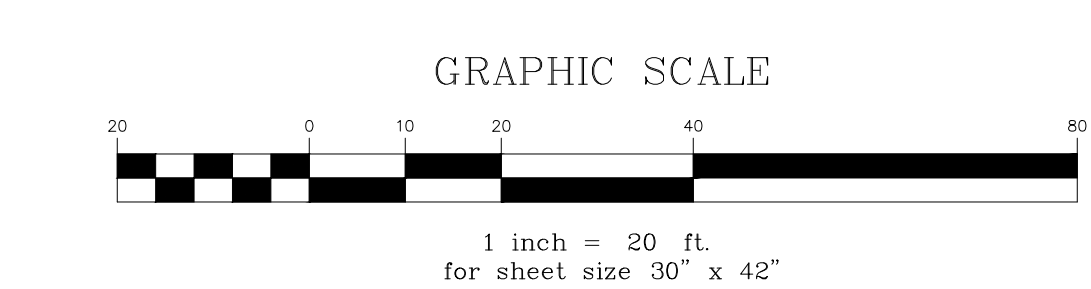
JB1	4" I.D. MANHOLE RM: 209.54 INV. IN: 205.00 (18" HDPE) SUMP: 203.50
JB2	4" I.D. MANHOLE RM: 210.80 INV. IN: 203.70 (15" HDPE) INV. OUT: 203.68 (15" HDPE) SUMP: 202.18
JB3	4" I.D. MANHOLE RM: 204.50 INV. IN: 200.00 (18" HDPE) INV. OUT: 201.19 (12" HDPE) SUMP: 199.58
JB4	4" I.D. MANHOLE RM: 211.47 INV. IN: 201.08 (6" HDPE) INV. OUT: 201.19 (12" HDPE) SUMP: 199.58
JB5	4" I.D. MANHOLE RM: 209.22 INV. IN: 207.28 (12" HDPE) SUMP: 199.48
ERL	EAST ROOF LEADER
ST1	ATTENUATION TANK
ST2	SAND FILTER
ST2.1	PRE-TREATMENT TANK
ST3	ATTENUATION TANK
ST4	SAND FILTER
ST5	ATTENUATION TANK
ST6	PRE-TREATMENT TANK
ST6.1	SAND FILTER
WRL	ROOF LEADER

WATER SCHEDULE

W1	10" C900 PVC PIPE WITH TRACER WIRE
W2	10" GATE VALVE
W3	8" C900 PVC PIPE WITH TRACER WIRE
W4	8" GATE VALVE
W5	6" C900 PVC PIPE WITH TRACER WIRE
W6	6" GATE VALVE
W7	10" x 10" x 6" TEE
W8	8" x 8" x 6" TEE
W9	22.5-DEG ELBOW
W10	45-DEG ELBOW
W11	HYDRANT
W12	12" GATE VALVE
W13	12" x 12" x 10" TEE
W14	12" x 8" TAPPING SLEEVE & 8" GATE VALVE

SEWER SCHEDULE

SS1	EX. 4" I.D. MANHOLE RM: 207.80 INV. IN: 198.17 (12 inch PVC) INV. IN: 198.36 (8" PVC) INV. OUT: 198.17 (12 inch PVC)
SS2	EX. 4" I.D. MANHOLE RM: 208.13 INV. IN: 198.85 (8" PVC) INV. IN: 198.85 (8" SDR35 PVC) INV. OUT: 198.70 (8" PVC)
SS3	EX. 4" I.D. MANHOLE RM: 211.27 INV. IN: 200.03 (8" PVC) INV. OUT: 199.87 (8" PVC)
SS4	EX. 4" I.D. MANHOLE (RAISE RIM) RM: 211.70 INV. IN: 200.31 (8" SDR35 PVC) INV. OUT: 200.18 (8" PVC)
SS5	EX. 4" I.D. MANHOLE (RAISE RIM) RM: 212.47 INV. IN: 201.38 (8" PVC) INV. OUT: 201.27 (8" SDR35 PVC)
SS6	EX. 4" I.D. MANHOLE (RAISE RIM) RM: 212.65 INV. IN: 201.51 (8" PVC) INV. IN: 201.69 (8" SDR35 PVC) INV. OUT: 201.51 (8" PVC)

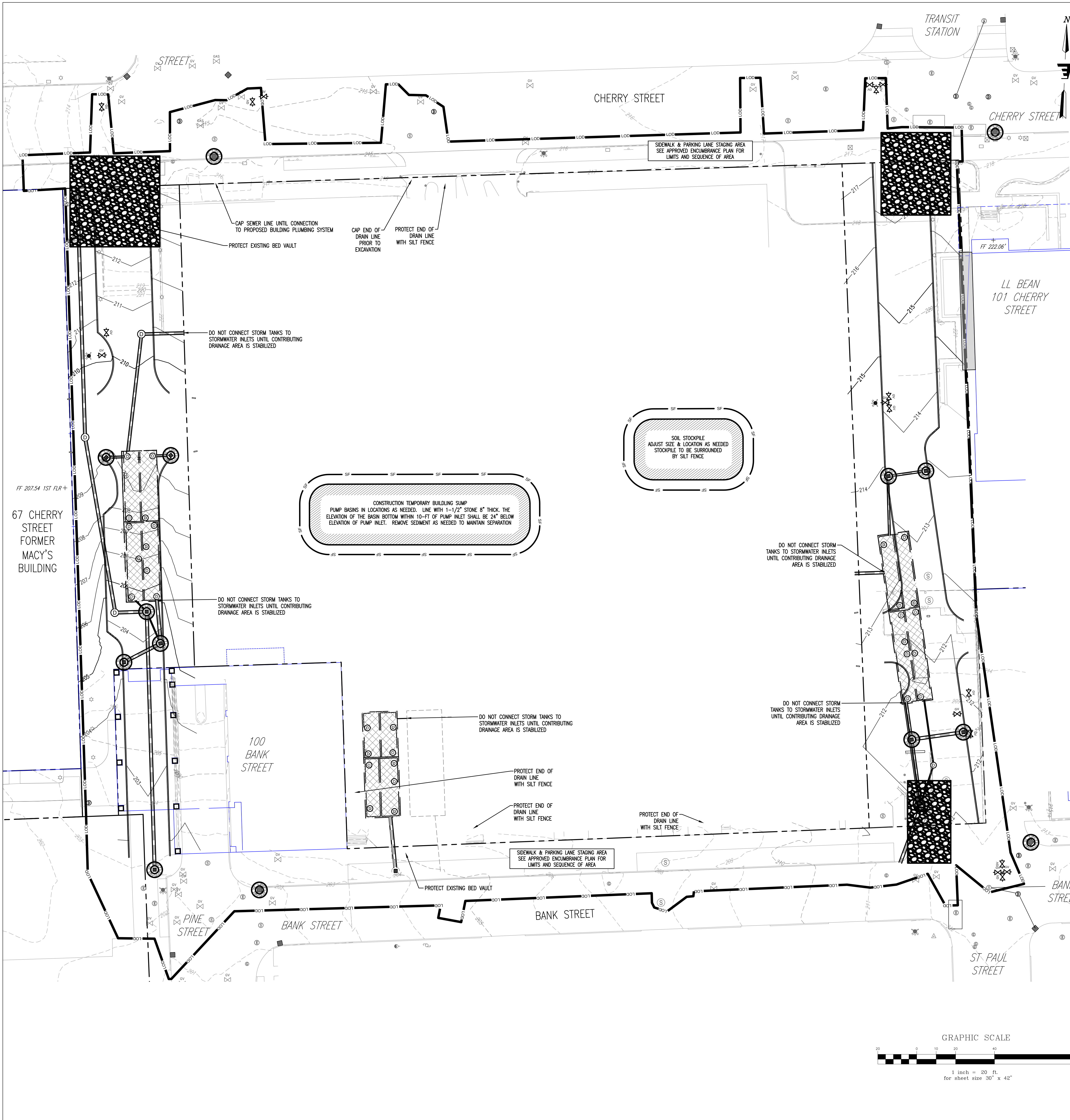


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DON SHIER, MANAGING DIRECTOR

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CHECKED BY: KW
ISSUE LOG:
Zoning Submission
15 Oct 2020
SHEET CONTENTS:
Utility Plan
SHEET NO. C-105
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PROPOSED FEATURES LEGEND

- EDGE OF PAVEMENT/CURB
- 250 MAJOR CONTOUR
- 251 MINOR CONTOUR
- CATCH BASIN
- DRAINAGE MANHOLE
- WATER VALVE
- HYDRANT
- SEWER MANHOLE
- STORM PIPE
- SUBSURFACE STORMWATER TREATMENT AREA

EXISTING CONDITIONS LEGEND

- BOLLARD
- SIGN
- PARKING METER
- MINOR CONTOUR
- MAJOR CONTOUR

EROSION CONTROL LEGEND

THIS DRAWING SHOWS STORM DRAINAGE FEATURES TO REMAIN, TEMPORARY FEATURES, FEATURES TO BE DEMOLISHED, AND PROPOSED FEATURES TO COORDINATE EROSION PREVENTION AND SEDIMENT CONTROL FEATURES BETWEEN ALL PHASES OF CONSTRUCTION. COORDINATE EPSCS WITH DEMOLITION AND PROPOSED CONDITIONS DRAWINGS.

EROSION PREVENTION AND SEDIMENT CONTROL (EPSCS) STRATEGY
THE FOLLOWING TECHNIQUES WILL BE UTILIZED AS PART OF A SEDIMENT AND EROSION CONTROL PROGRAM. THE SEDIMENT AND EROSION CONTROL PROGRAM WILL BE IMPLEMENTED IN STAGES. CERTAIN ITEMS FROM ONE STAGE WILL LIKELY OVERLAP OR TAKE PLACE CONCURRENTLY WITH ITEMS FROM OTHER STAGES. REFER TO DETAIL DRAWINGS FOR ADDITIONAL EPSCS INFORMATION AND REQUIREMENTS.

STABILIZED CONSTRUCTION ENTRANCE SEE DTL SHT C305
THIS STRUCTURAL MEASURE IS A STABILIZED PAD OF AGGREGATE UNDERLAIN WITH FILTER FABRIC LOCATED AT ANY POINT WHERE TRAFFIC WILL BE ENTERING OR LEAVING A CONSTRUCTION SITE TO OR FROM A PUBLIC RIGHT-OF-WAY, STREET, ALLEY, SIDEWALK, OR PARKING AREA. THE PURPOSE OF A STABILIZED CONSTRUCTION ENTRANCE IS TO REDUCE OR ELIMINATE THE TRACKING OF SEDIMENT ONTO PUBLIC RIGHTS-OF-WAY OR STREETS. THIS WILL REMAIN IN PLACE AND BE MAINTAINED UNTIL THE PROJECT SITE HAS BEEN PERMANENTLY STABILIZED.

SILT FENCING SEE 1/C305
THIS STRUCTURAL MEASURE IS A TEMPORARY BARRIER OF GEOTEXTILE FABRIC USED TO INTERCEPT SEDIMENT LOADED RUNOFF FROM SMALL DRAINAGE AREAS OF DISTURBED SOIL. IT IS INSTALLED ALONG THE PERIMETER OF IMPACTED AREAS AND ALONG THE BASE OF THE FILL SLOPES. ADDITIONALLY, WHEN DESIGNATED ALONG THE LIMITS OF DISTURBANCE, INSTALL CONSTRUCTION FENCE BEHIND THE SILT FENCE. THESE WILL REMAIN IN PLACE AND BE MAINTAINED UNTIL THE PROJECT SITE HAS BEEN PERMANENTLY STABILIZED.

TEMPORARY INLET PROTECTION SEE 2 AND 9/C305
THIS STRUCTURAL MEASURE IS A EITHER STONE SURROUNDING A CATCH BASIN INLET OR FILTER FABRIC SURROUNDING THE GATE OF A CATCH BASIN TO PREVENT SEDIMENT FROM ENTERING A STORM PIPE SYSTEM. INSTALL AS INDICATED ON PLANS. GENERALLY, FILTER INLET PROTECTION SHOULD BE USED IN PAVED AREAS AND STONE INLET PROTECTION SHOULD BE USED IN GRASSY AREAS. STONE TO BE REMOVED AND REPLACED WITH CLEAN STONE WHEN SEDIMENT IS $\leq 1/2$ DEPTH OF STONE. FABRIC TO BE CLEANED/REPLACED WHEN WATER SEEPAGE INTO CATCH BASIN IS INHIBITED BY SEDIMENT BUILDUP ON FABRIC. REMOVE ALL SEDIMENT IF COLLECTED IN STRUCTURE AS SOON AS POSSIBLE. INSTALL ON EXISTING INLETS PRIOR TO REMOVAL AND PROPOSED INLETS AFTER INSTALLATION.

APPROXIMATE SOIL STOCKPILE AREAS
THESE ARE APPROVED LOCATIONS WHERE SOIL MATERIALS MAY BE STORED. THESE STOCKPILES WILL BE PROTECTED FROM EROSION BY A NUMBER OF METHODS, INCLUDING INSTALLING SILT FENCING AROUND THE DOWN GRADIENT PERIMETER OF THE STOCKPILE AND SEEDING AND MULCHING THE STOCKPILE WHEN NOT IN USE FOR MORE THAN FIVE DAYS. CONTRACTOR SHALL SUBMIT PROPOSED AREA FOR ENGINEER APPROVAL.

APPROXIMATE STAGING AND WASTE AREAS
THESE ARE APPROVED LOCATIONS WHERE NON-SOIL, NON-ERODIBLE MATERIALS MAY BE STORED. SOILS SHALL NOT BE STORED IN THESE AREAS.

LIMITS OF DISTURBANCE
THE CONTRACTOR SHALL CONTAIN ANY EARTH MOVING ACTIVITIES WITHIN THE DESIGNATED LIMITS SHOWN ON THIS PLAN. CONFIRM LOCATION, EXTENTS AND GATES WITH OWNER. FENCE LOCATION AND GATES TO BE RE-ADJUSTED AS NECESSARY BASED ON CM REQUIREMENTS AND COORDINATION.

EROSION CONTROL NOTES

HOLD PRE-CONSTRUCTION CONFERENCE AT LEAST ONE WEEK PRIOR TO STARTING CONSTRUCTION, WITH THE CONTRACTOR, OWNER, ENGINEER, AND CITY. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ESTABLISHING ALL EROSION CONTROL MEASURES DELINEATED ON THE PLANS AND ANY ADDITIONAL MEASURES THAT ARE NECESSARY TO MINIMIZE EROSION. THE CONTRACTOR SHALL HAVE EROSION CONTROL MATERIALS AND INSTALLATION EQUIPMENT ON SITE AT ALL TIMES.

GENERAL NOTES

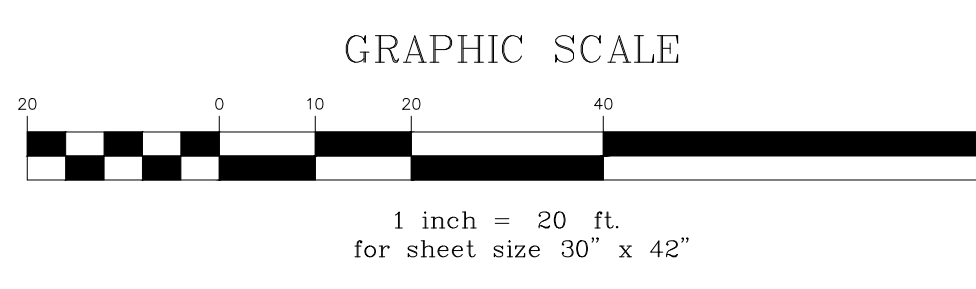
- THE "ON-SITE EROSION CONTROL PLAN COORDINATOR" SHALL BE PRESENT ON-SITE FROM DAY-TO-DAY, AND SHALL BE RESPONSIBLE FOR ENSURING THAT THE EROSION CONTROL MEASURES REQUIRED BY THE EROSION CONTROL PLAN, DETAILS AND NOTES, ARE PROPERLY INSTALLED AND MAINTAINED. THE ON-SITE EROSION CONTROL PLAN COORDINATOR SHALL KEEP A WRITTEN RECORD OF INSPECTIONS AND MAINTENANCE OF EROSION CONTROL FEATURES. A COPY OF THESE PLANS AND INSPECTION/MAINTENANCE RECORDS SHALL BE KEPT ON-SITE AT ALL TIMES.
- EROSION CONTROL MEASURES SHALL BE CONDUCTED IN ACCORDANCE WITH THE "VERMONT STANDARDS AND SPECIFICATIONS FOR EROSION PREVENTION AND SEDIMENT CONTROL", DATED 2006.
- THE CONTRACTOR SHALL INSPECT DAILY ALL SURROUNDING ROADS FOR SOIL OR DEBRIS. AT THE END OF THE DAY ALL SOIL AND DEBRIS SHALL BE SWEEP FROM THE STREET. DURING TRUCK HAULING OPERATIONS, CONTINUOUS SWEEPING OF THE STREETS SHALL BE PERFORMED.

TEMPORARY/CONSTRUCTION EROSION CONTROL MEASURES

- THE SMALLEST PRACTICAL AREA OF LAND SHALL BE DISTURBED AT ANY ONE TIME DURING DEVELOPMENT. WHEN LAND IS DISTURBED, THE DISTURBANCE SHALL BE KEPT TO THE SHORTEST PRACTICAL DURATION AS APPROVED BY THE ENGINEER.
- DUST SHALL BE CONTROLLED WITH WATER DISTRIBUTED BY A TRUCK-MOUNTED SPRAY BAR. CALCIUM CHLORIDE (ASHTO M 144) OR SODIUM CHLORIDE (ASHTO M 143) SHALL BE USED AS DIRECTED BY THE ENGINEER.
- STOCKPILED MATERIAL (TOPSOIL, BORROW, ETC.) SHALL HAVE SILT FENCE CONSTRUCTED AROUND THE PERIMETER. THE STOCKPILED MATERIAL SHALL BE SEEDING AND MULCHED AS SOON AS POSSIBLE TO PREVENT SOIL EROSION AND SEDIMENTATION OFF SITE. LOCATE STOCKPILES ON THE UPHILL SIDE OF DISTURBED AREAS, IF POSSIBLE. DURING WINDY CONDITIONS, STOCKPILED MATERIAL SHALL BE COVERED OR WATERED APPROPRIATELY TO PREVENT WIND EROSION.
- SLOPES GREATER THAN 3:1 SHALL BE COVERED WITH AN 8" THICK BLANKET OF CRUSHED STONE.
- COVER DISTURBED AREAS WITH A 8" THICK BLANKET OF CRUSHED STONE WITHIN 14 DAYS.

PERMANENT EROSION CONTROL MEASURES

- WHEN FINAL GRADES ARE REACHED IN AN AREA, IT SHALL BE COVERED WITH CRUSHED STONE FILL WITHIN 48 HOURS.
- THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE CONTINUED MAINTENANCE OF ALL DISTURBED AREAS, INCLUDING WATERING UNTIL THE AREA IS INSPECTED AND ACCEPTED BY THE OWNER OR ENGINEER.
- AFTER THE SITE IS STABILIZED, REMOVE ALL TEMPORARY MEASURES AND INSTALL PAVEMENT ON THE DISTURBED AREAS.



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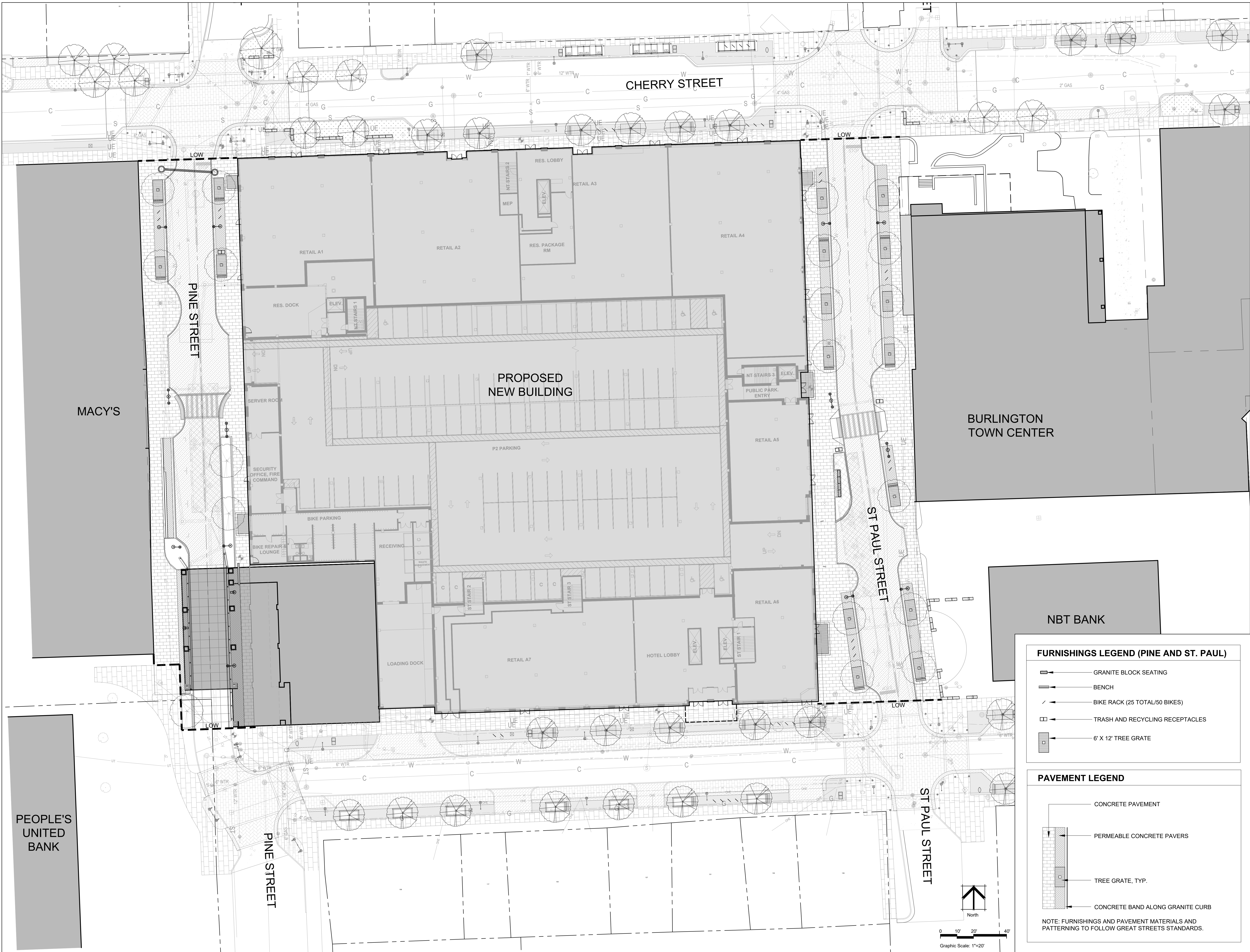
ZONING SUBMISSION - NOT FOR CONSTRUCTION

BTO MALL ASSOCIATES, LLC
A PROJECT BY
DEVONWOOD INVESTORS, LLC
DON BAKER, MANAGING DIRECTOR

PROJECT NO:	A1947.00	CONSULTANT PROJ. NO.:	14660
ORIGINATION DATE:	10/15/20	SCALE:	As Indicated
DRAWN BY:	HWK	CHECKED BY:	KW
ISSUE LOG:	Zoning Submission		15 Oct 2021

SHEET CONTENTS:

Erosion Prevention & Sediment Control Plan
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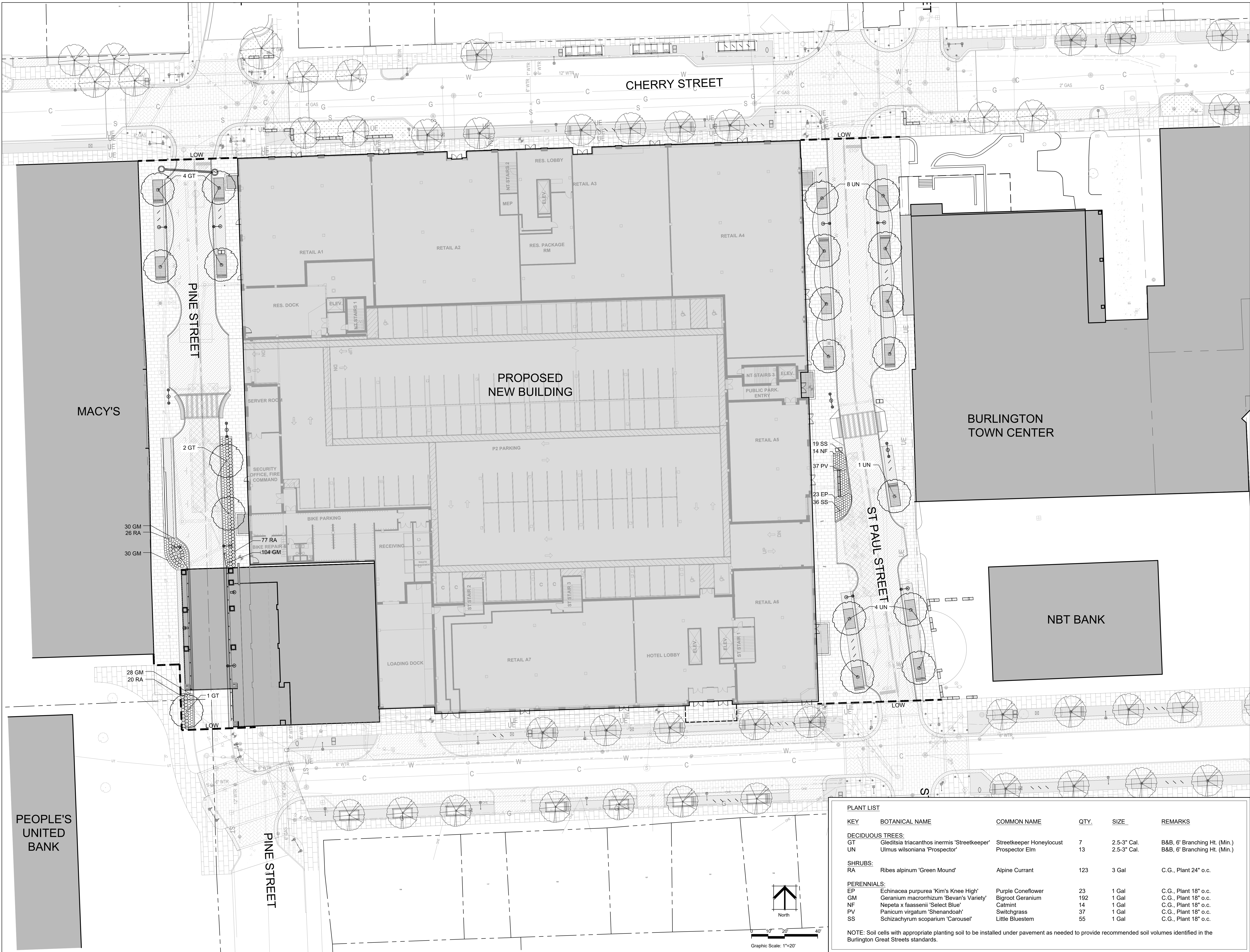
FURNISHINGS LEGEND (PINE AND ST. PAUL)

- GRANITE BLOCK SEATING
- BENCH
- BIKE RACK (25 TOTAL/50 BIKES)
- TRASH AND RECYCLING RECEPTACLES
- 6' X 12' TREE GRATE

PAVEMENT LEGEND

- CONCRETE PAVEMENT
- PERMEABLE CONCRETE PAVERS
- TREE GRATE, TYP.
- CONCRETE BAND ALONG GRANITE CURB

NOTE: FURNISHINGS AND PAVEMENT MATERIALS AND PATTERNING TO FOLLOW GREAT STREETS STANDARDS.



PLANT LIST					
KEY	BOTANICAL NAME	COMMON NAME	QTY.	SIZE	REMARKS
DECIDUOUS TREES:					
GT	Gleditsia triacanthos inermis 'Streetkeeper'	Streetkeeper Honeylocust	7	2.5-3" Cal.	B&B, 6' Branching Ht. (Min.)
UN	Ulmus wilsoniana 'Prospector'	Prospector Elm	13	2.5-3" Cal.	B&B, 6' Branching Ht. (Min.)
SHRUBS:					
RA	Ribes alpinum 'Green Mound'	Alpine Currant	123	3 Gal	C.G., Plant 24" o.c.
PERENNIALS:					
EP	Echinacea purpurea 'Kim's Knee High'	Purple Coneflower	23	1 Gal	C.G., Plant 18" o.c.
GM	Geranium macrorrhizum 'Bevan's Variety'	Bigroot Geranium	192	1 Gal	C.G., Plant 18" o.c.
NF	Nepeta x faassenii 'Select Blue'	Catmint	14	1 Gal	C.G., Plant 18" o.c.
PV	Panicum virgatum 'Shenandoah'	Switchgrass	37	1 Gal	C.G., Plant 18" o.c.
SS	Schizachyrium scoparium 'Carousel'	Little Bluestem	55	1 Gal	C.G., Plant 18" o.c.

NOTE: Soil cells with appropriate planting soil to be installed under pavement as needed to provide recommended soil volumes identified in the Burlington Great Streets standards.



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ZONING SUBMISSION - NOT FOR CONSTRUCTION

OWNER
BTC MALL ASSOCIATES, LLC
A PROJECT BY
DEVONWOOD INVESTORS, LLC
DON SHIES, MANAGING DIRECTOR

PROJECT NO:
A1947.00
ORIGINATION DATE:
02/28/2020
DRAWN BY:
RL
CHECKED BY:
PO
SHEET NO:
LA400

CONTENTS:
PLANTING
PLAN

SHEET NO:
LA400

FLOOR PLAN GENERAL NOTES

- ALSO SEE SYMBOL LEGEND ON COVER SHEET.
- DIMENSIONS:** ALL INTERIOR DIMENSIONS ARE TO FACE OF GWB OR TILE FINISH UNLESS OTHERWISE NOTED. EXTERIOR DIMENSIONS ARE TO NOMINAL CORNER OF MASONRY UNLESS NOTED OTHERWISE.
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 - REFER TO CIVIL PLANS FOR LIMIT OF WORK.

FLOOR PLAN LEGEND

- NEW WALL
- NEW STEEL/CONCRETE COLUMN - SEE STRUCTURAL
- FINISH FLOOR ELEVATION

OCCUPANCY & USE LEGEND

- PARKING
- MEP/BUILDING SUPPORT
- RESIDENTIAL - STORAGE
- RES. LOBBY & AMENITY
- RETAIL

NORTH BUILDING

- CIRCULATION
- ELEVATORS & STAIRS
- RETAIL

SOUTH BUILDING

- CIRCULATION
- ELEVATORS & STAIRS
- OFFICE/CO-WORKING
- COMMUNITY SPACE
- MEETING, MTG SUPPORT

THIS LEVEL (P1): 214 STRIPPED
TOTAL: 422 STRIPPED

- NOTE -

ANY MODIFICATION OR DEVIATIONS FROM THESE PLANS REQUIRE ZONING APPROVAL PRIOR TO CONSTRUCTION. ALL ERRORS IN DIMENSIONS, PLANS, OR DETAILING ARE FULLY THE RESPONSIBILITY OF THE APPLICANT/OWNER.

FINAL APPROVAL

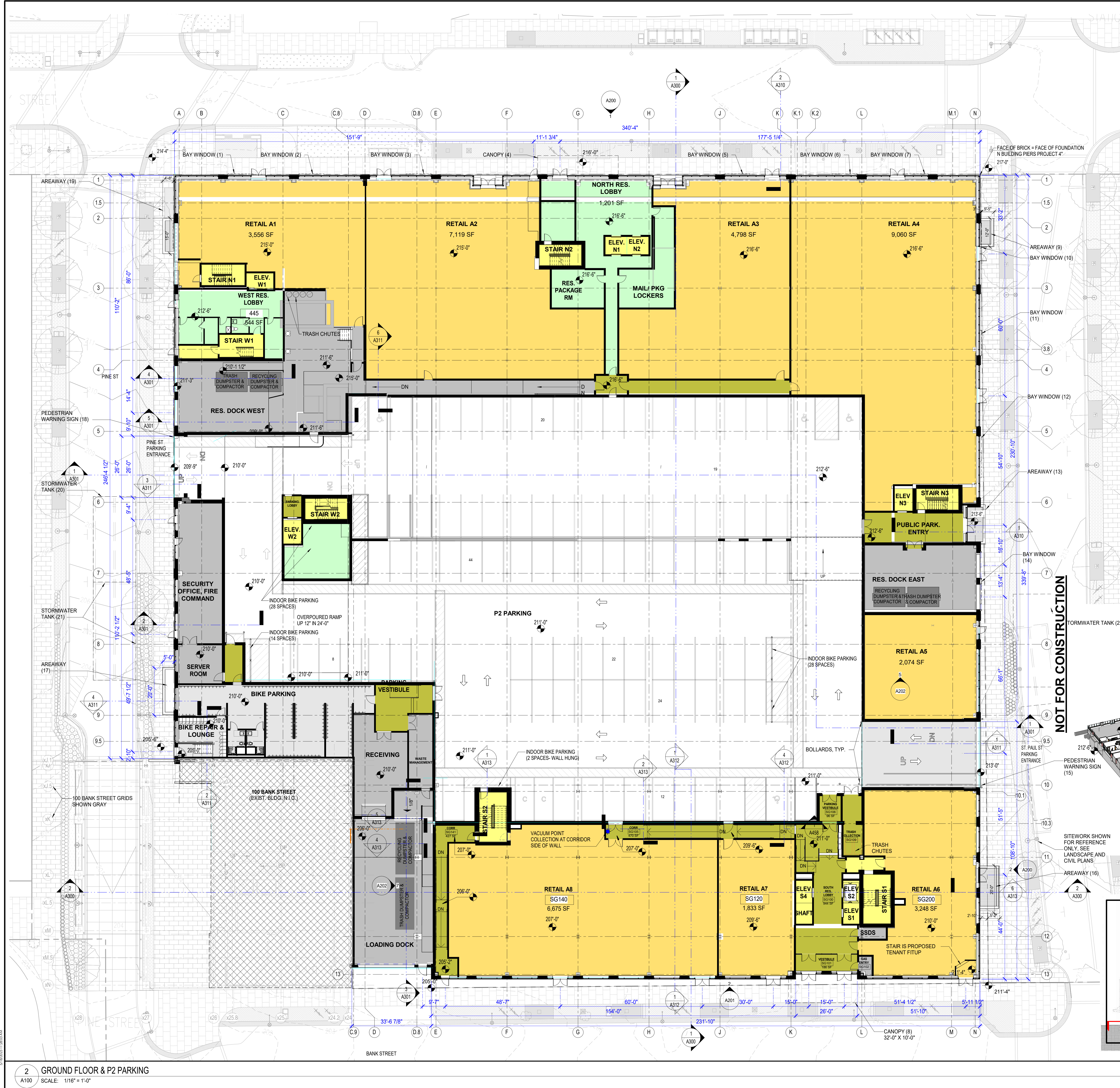
SIGNED *William A. Zand* DATE 3.8.2021
ZONING PERMIT # 21-0414CA/MA
REVIEWED BY: IMO
DEPARTMENT OF PERMITTING & INSPECTIONS
BURLINGTON VERMONT

Subject to conditions imposed by the DRB.

NORTH BUILDING



SOUTH BUILDING



FLOOR PLAN GENERAL NOTES

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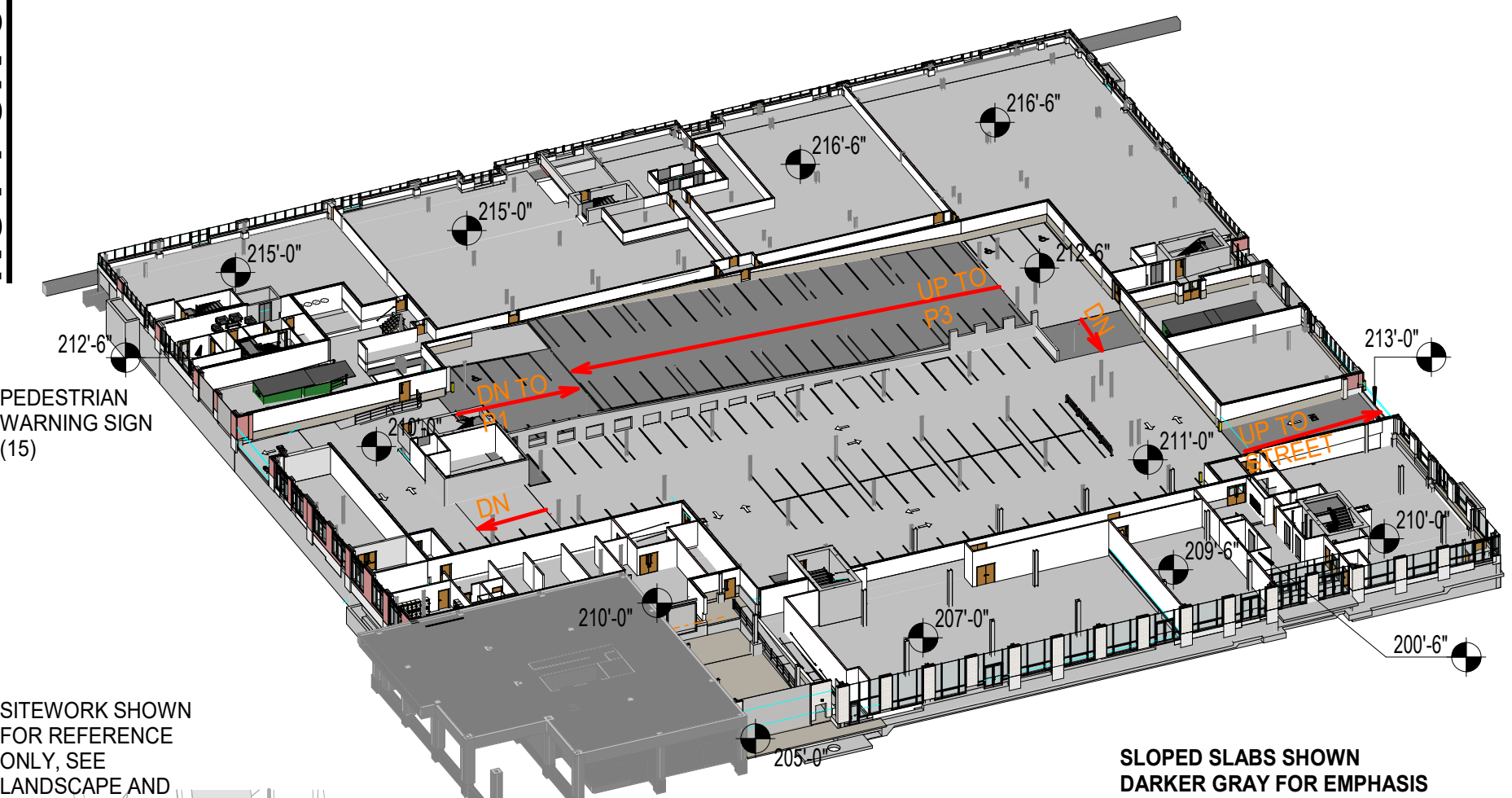
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- NEW CAST IN PLACE WALL, SEE WALL TAGS ON 1/8" AND 1/4" SCALE PLANS & STRUCTURAL
- NEW STUD WALL, SEE WALL TAGS ON 1/8" AND 1/4" SCALE PLANS
- WALLS NOT IN CURRENT SCOPE
- PARKING WALKWAYS/STRIPING
- NEW STEEL/CONCRETE COLUMN - SEE STRUCTURAL
- FINISH FLOOR ELEVATION

OCCUPANCY & USE LEGEND

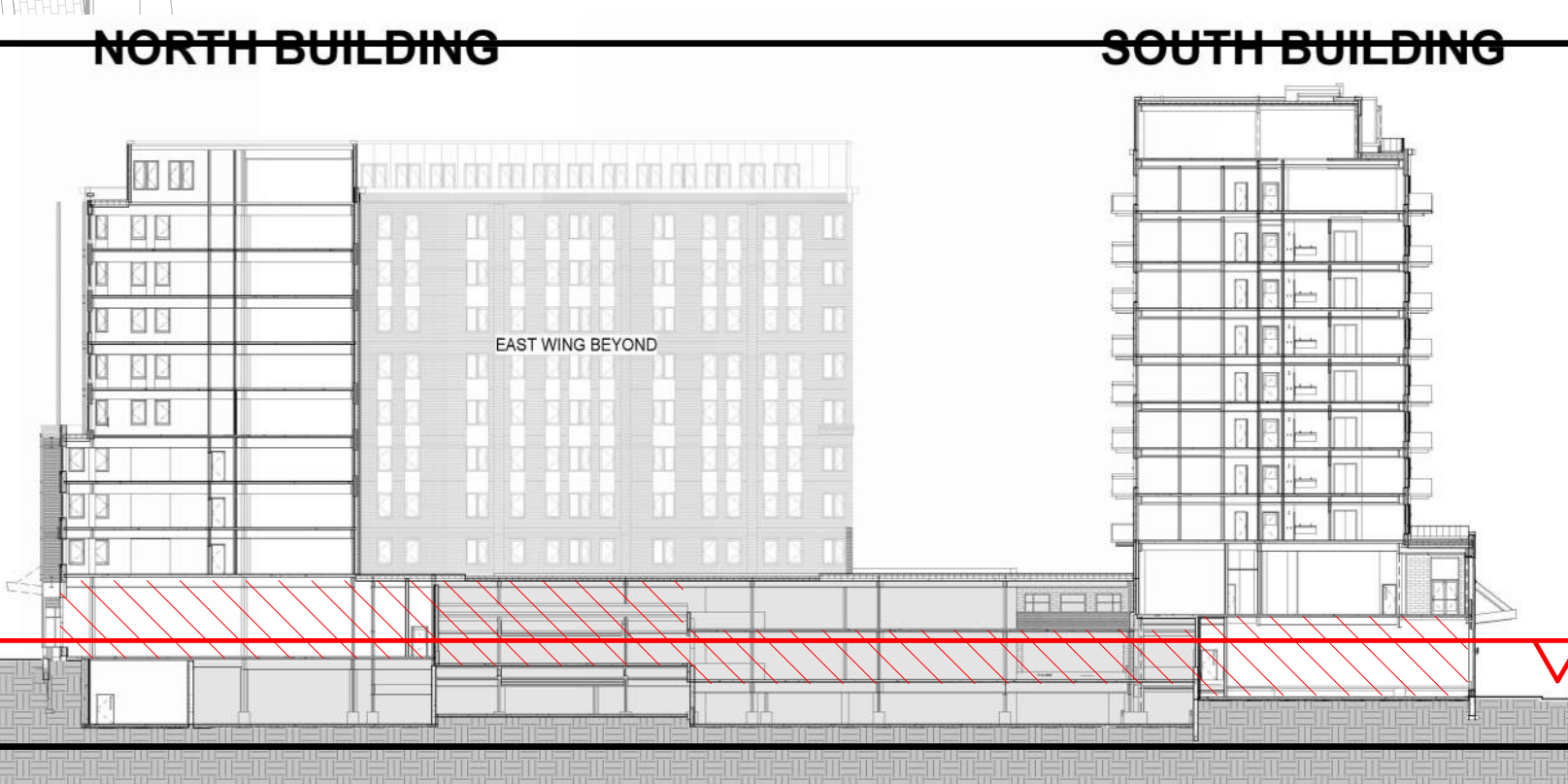
- PARKING
- MEP / BUILDING SUPPORT
- CIRCULATION
- ELEVATORS & STAIRS
- RESIDENTIAL - STORAGE
- RES. LOBBY & AMENITY
- RETAIL
- OFFICE
- COMMUNITY SPACE
- MEETING, MTG SUPPORT

ENCUMBRANCES SCHEDULE					
#	TYPE	LOCATION	DIMENSIONS (LxW)	HT ABOVE SIDEWALK	NOTES
1	BAY WINDOW	CHERRY ST	10'-8" X 8"	19'-6"	
2	BAY WINDOW	CHERRY ST	10'-8" X 8"	19'-2"	
3	BAY WINDOW	CHERRY ST	10'-8" X 8"	18'-10"	
4	CANOPY	CHERRY ST	34'-0" X 8'-4"	14'	
5	BAY WINDOW	CHERRY ST	10'-8" X 8"	17'-5"	
6	BAY WINDOW	CHERRY ST	10'-8" X 8"	16'-8"	
7	BAY WINDOW	CHERRY ST	12'-0" X 5'-8"	16'-0"	
8	CANOPY	BANK ST	32' X 10'	15'-7"	
9	AREAWAY	ST PAUL ST	12'-0" X 5'-8"	-	partly w/in prop. line.
10	BAY WINDOW	ST PAUL ST	10'-8" X 8"	16'-4"	
11	BAY WINDOW	ST PAUL ST	---	17'-5"	now in prop line
12	BAY WINDOW	ST PAUL ST	---	19'-0"	now in prop line
13	AREAWAY	ST PAUL ST	16'-8" X 1'-2"	-	all grating w/in prop line
14	BAY WINDOW	ST PAUL ST	---	30'-10"	now in prop line
15	WARNING SIGN	ST PAUL ST	N/A	N/A	w/in prop. line
16	AREAWAY	ST PAUL ST	20'-0" X 8'-0"	-	partly w/in prop. line.
17	AREAWAY	PINE ST	20' X 4'-8"	-	
18	WARNING SIGN	PINE ST	1'-6" X 1'-4"	8'-0"	
19	AREAWAY	PINE ST	15'-0" X 4'-8"	-	
20	STORM WATER TANK	PINE ST	36' X 18'	-	below road & furnishings zone
21	STORM WATER TANK	PINE ST	41' X 18'	-	below road
22	STORM WATER TANK	ST PAUL ST	39' X 16'	-	below road & furnishings zone
23	STORM WATER TANK	ST PAUL ST	48' X 16'	-	below road

NOTE: "WIDTH" IN ENCUMBRANCE DIMENSIONS ABOVE FOR ITEMS 1-19 INDICATES PROJECTION FROM THE PRIMARY BUILDING FACE. IN ALL CASES, THE R.O.W. ENCUMBRANCE WILL BE LESS THAN THIS DIMENSION. ON CHERRY STREET, THE PRIMARY FACE IS 4' FROM THE PROPERTY LINE. ON PINE, BANK, AND ST PAUL STREETS THE PROPERTY LINES ARE NOT PARALLEL TO THE BUILDING AND THE PRIMARY FACE WILL BE BETWEEN 7' AND 42' FROM THE PROPERTY LINE. ON CHERRY STREET, THERE IS A CORNICE WHICH PROJECTS 9' BEYOND THE PROPERTY LINE EXCEPT AT SETBACKS, CORNICES ARE WITHIN THE PROPERTY LINE ON ALL OTHER ELEVATIONS.



1 P2- SLOPED SLABS AND SLAB FINISH ELEVATION DIAGRAM
SCALE: 1/16" = 1'-0"



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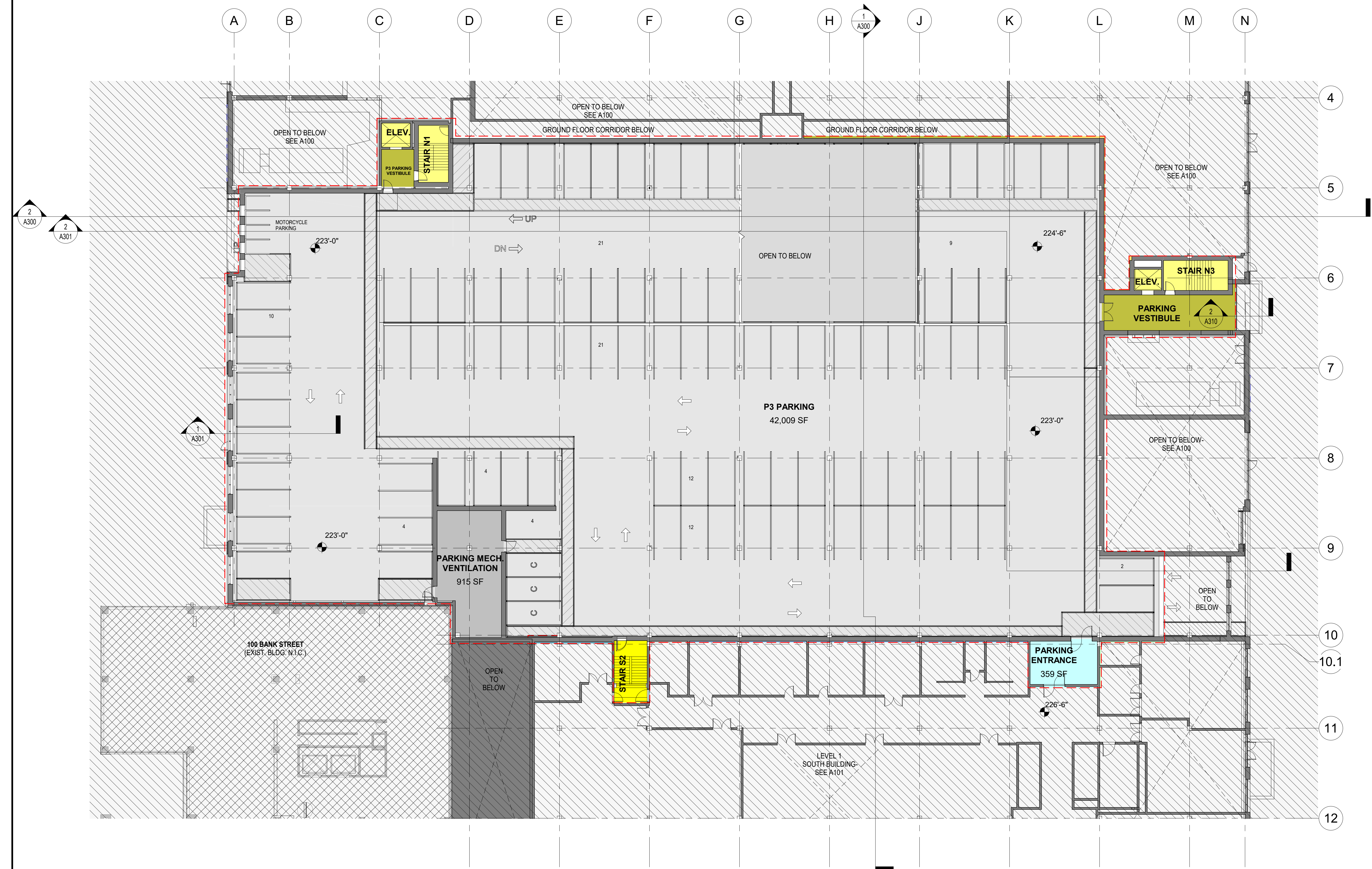
PROJ. NO.: 2253
CONSULTANT PROJ. #:
ORIGINATOR DATE: 01/15/2021
SCALE: 1/16" = 1'-0"
DRAWN BY: JDR
CHECKED BY: JDR/JB
DATE: 15 Oct 2020
REVISIONS:
Rev. 1: 15 Oct 2020
Rev. 2: 15 Jan 2021
Rev. 3: 19 Feb 2021
Rev. 4: 12 Apr 2021
Rev. 5: 12 May 2021
Rev. 6: 18 May 2021

SHEET CONTENTS:
OVERALL PLAN-
GROUND LEVEL
AND P2 PARKING

SHEET NO.:
A100

1/13/2021 10:48:01 PM

2 LEVEL P3
A100.5 SCALE: 1/16" = 1'-0"



FLOOR PLAN GENERAL NOTES

ALSO SEE SYMBOL LEGEND ON COVER SHEET.

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FLOOR PLAN LEGEND

- NEW WALL
- NEW STEEL/ CONCRETE COLUMN - SEE STRUCTURAL
- FINISH FLOOR ELEVATION

OCCUPANCY & USE LEGEND

- PARKING
- MEP/ BUILDING SUPPORT
- RESIDENTIAL - STORAGE
- RES. LOBBY & AMENITY
- RETAIL

NORTH BUILDING

- CIRCULATION
- ELEVATORS & STAIRS
- RETAIL

SOUTH BUILDING

- CIRCULATION
- ELEVATORS & STAIRS
- OFFICE/ CO-WORKING
- COMMUNITY SPACE
- MEETING, MTG SUPPORT

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TOTAL: 422 STRIPPED

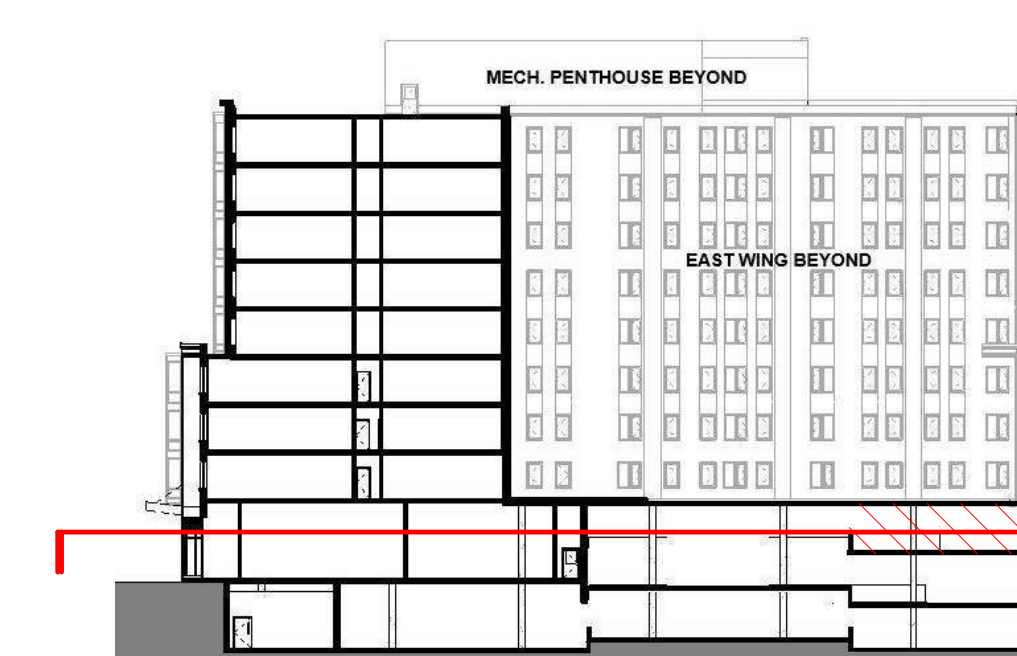
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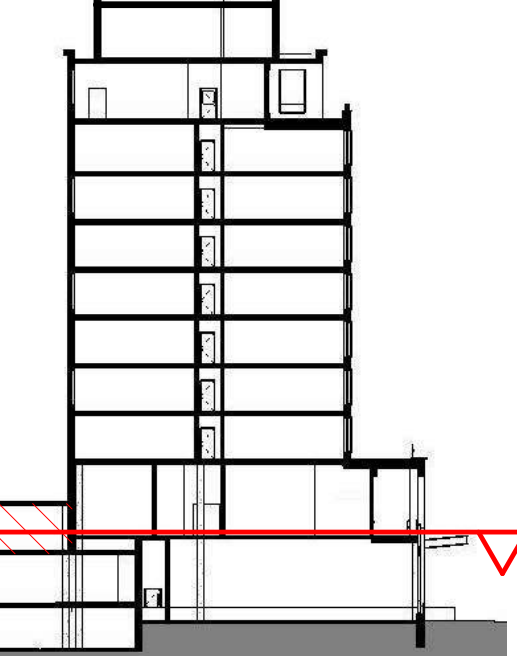
SIGNED: *William A. 2nd* DATE: 3.8.2021
ZONING PERMIT # 21-0414CA/MA
REVIEWED BY: MO
DEPARTMENT OF PERMITTING & INSPECTIONS
BURLINGTON VERMONT

Subject to conditions imposed by the DRB.

NORTH BUILDING



SOUTH BUILDING



N - PROJECT NORTH
N - TRUE NORTH
M - MAGNETIC NORTH

GRAPHIC SCALE
0 8' 16' 32'

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OWNER: **BTC MALL ASSOCIATES, LLC**
A PROJECT BY:
DEVONWOOD INVESTORS, LLC
DON SANEZ, MANAGING DIRECTOR

PROJECT NO: **A1947.00**
CONSULTANT PROJ. #:
ORIGINATOR DATE: **10/15/2020**
SCALE: **1/16" = 1'-0"**
DRAWN BY: **JDR**
CHECKED BY: **JDR/JB**
ISSUE LOG:
Zoning Submission 15 Oct 2020

SHEET CONTENTS:
**OVERALL PLAN-
GROUND FLOOR
MEZZANINES AND
P3 PARKING**

SHEET TAG:
A100.5
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FLOOR PLAN GENERAL NOTES

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FLOOR PLAN LEGEND

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- NEW CAST IN PLACE WALL, SEE WALL TAGS ON 1/8" AND 1/4" SCALE PLANS & STRUCTURAL
- NEW STUD WALL, SEE WALL TAGS ON 1/8" AND 1/4" SCALE PLANS
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- NEW STEEL/ CONCRETE COLUMN - SEE STRUCTURAL
- FINISH FLOOR ELEVATION

OCCUPANCY & USE LEGEND

- PARKING
- MEP / BUILDING SUPPORT
- RESIDENTIAL - STORAGE
- RES. LOBBY & AMENITY
- CIRCULATION
- ELEVATORS & STAIRS
- RESIDENTIAL STUDIO
- Jr. 1 BEDROOM RESIDENTIAL
- 1 BR RESIDENTIAL
- Jr. 2 BR RESIDENTIAL
- 2 BR RESIDENTIAL
- OFFICE / CO-WORKING
- COMMUNITY SPACE
- MEETING, MTG SUPPORT



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110 Main Street, Burlington, VT 05401

FF PROJECT NO:

CONSULTANT PROJ. #

2253

SCALE:

01/15/2021

1/16" = 1'-0"

DRAWN BY:

JR/NE/CL

CHECKED BY:

JDR

SOURCE:

Zoning Submittal

15 Oct 2020

Submittal Clarifications

9 Nov 2020

Rev. 2

15 Jan 2021

Rev. 3

19 Feb 2021

Rev. 4

12 Apr 2023

Rev. 5

12 May 2023

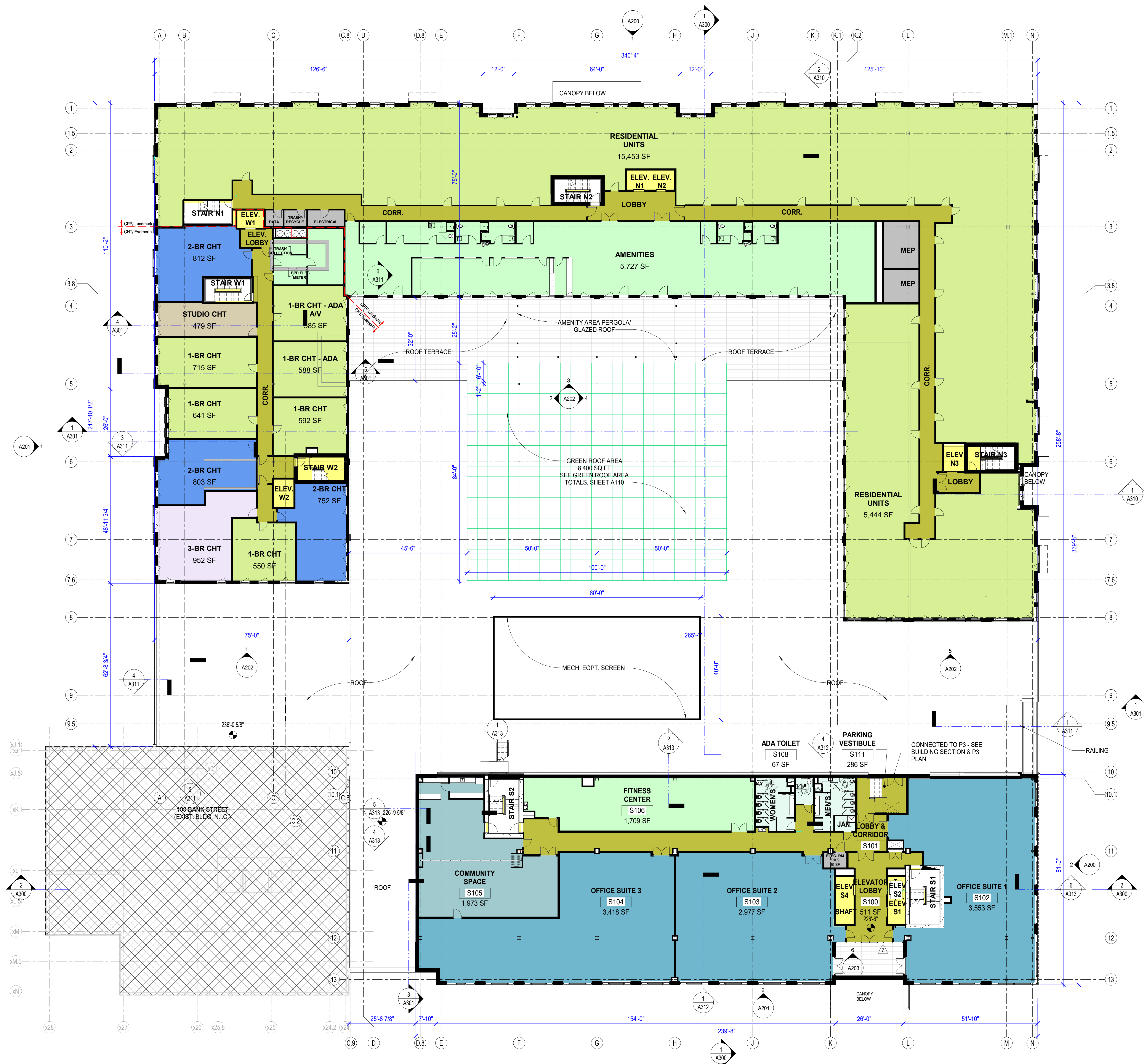
SHEET CONTENTS

OVERALL PLAN -
LEVEL 1

SHEET NO.:

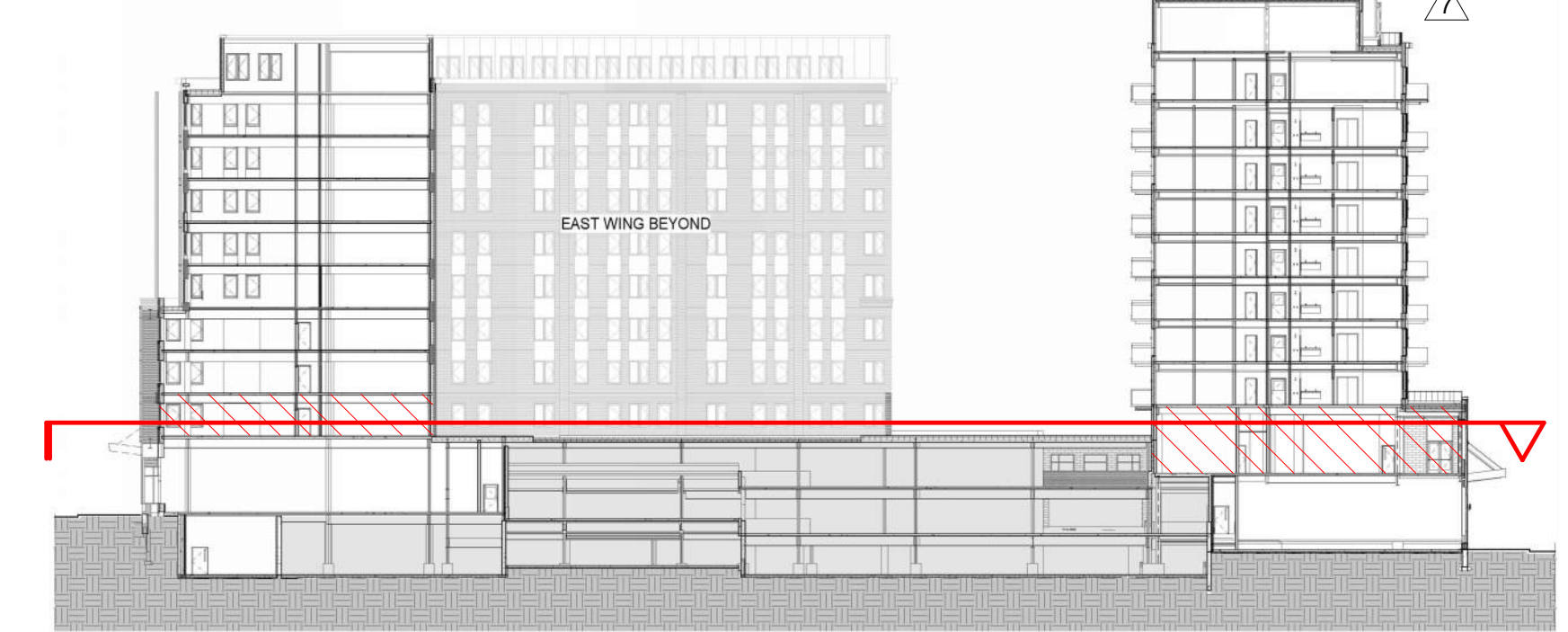
A101

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NORTH BUILDING

SOUTH BUILDING

N - PROJECT NORTH
TRUE NORTH
MAGNETIC NORTH

GRAPHIC SCALE

0 8' 16' 32'

1 LEVEL 1
A101 SCALE: 1/16" = 1'-0"

5/11/2023 1:20:35 AM

FLOOR PLAN GENERAL NOTES

ALSO SEE SYMBOL LEGEND ON COVER SHEET.

- DIMENSIONS:** ALL INTERIOR DIMENSIONS ARE TO FACE OF GWB OR TILE FINISH UNLESS OTHERWISE NOTED. EXTERIOR DIMENSIONS ARE TO NOMINAL CORNER OF MASONRY UNLESS NOTED OTHERWISE.
- PLANS ARE TO BE VIEWED IN CONJUNCTION WITH CIVIL, LANDSCAPE, STRUCTURAL, MEP/FP AND ALL OTHER TRADES, AS APPROPRIATE. DISCREPANCIES ARE TO BE BROUGHT TO THE ARCHITECT'S ATTENTION FOR RESOLUTION BEFORE COMMENCING WORK.
- ALL NON-ARCHITECTURAL INFORMATION SHOWN HERE IS FOR REFERENCE ONLY.
- REFER TO CIVIL PLANS FOR LIMIT OF WORK.

FLOOR PLAN LEGEND

- EXISTING WALL TO REMAIN
- NEW CAST IN PLACE WALL/SEE WALL TAGS ON 1/8" AND 1/4" SCALE PLANS & STRUCTURAL
- NEW STUD WALL, SEE WALL TAGS ON 1/8" AND 1/4" SCALE PLANS
- WALLS NOT IN CURRENT SCOPE
- PARKING WALKWAYS/ STRIPING
- NEW STEEL/ CONCRETE COLUMN - SEE STRUCTURAL
- FINISH FLOOR ELEVATION

OCCUPANCY & USE LEGEND

- MEP / BUILDING SUPPORT
- RESIDENTIAL - STORAGE
- RES. LOBBY & AMENITY
- CIRCULATION
- ELEVATORS & STAIRS
- RESIDENTIAL STUDIO
- Jr. 1 BEDROOM RESIDENTIAL
- 1 BR RESIDENTIAL
- Jr. 2 BR RESIDENTIAL
- 2 BR RESIDENTIAL



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CITYPLACE
BURLINGTON
ZONING AMENDMENT, NOT FOR CONSTRUCTION

CityPlace Partners, LLC
110 Main Street, Burlington, VT 05401

FF PROJECT NO: 2253
CONSULTANT PROJ. #:
ORIGINATOR DATE: 01/15/2021
SCALE: 1/16" = 1'-0"
DRAWN BY: JR/NE/CL
CHECKED BY: JDR
SUBMITTER: Zoning Submission
SUBMITTER DATE: 15 Oct 2020
SUBMITTER DATE: 15 Nov 2020
Rev. 2: 15 Jan 2021
Rev. 3: 19 Feb 2021
Rev. 4: 12 Apr 2023
Rev. 5: 12 May 2023

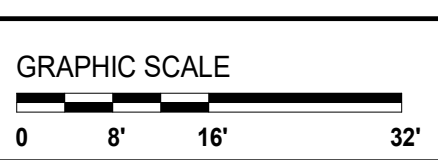
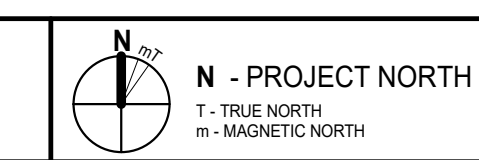
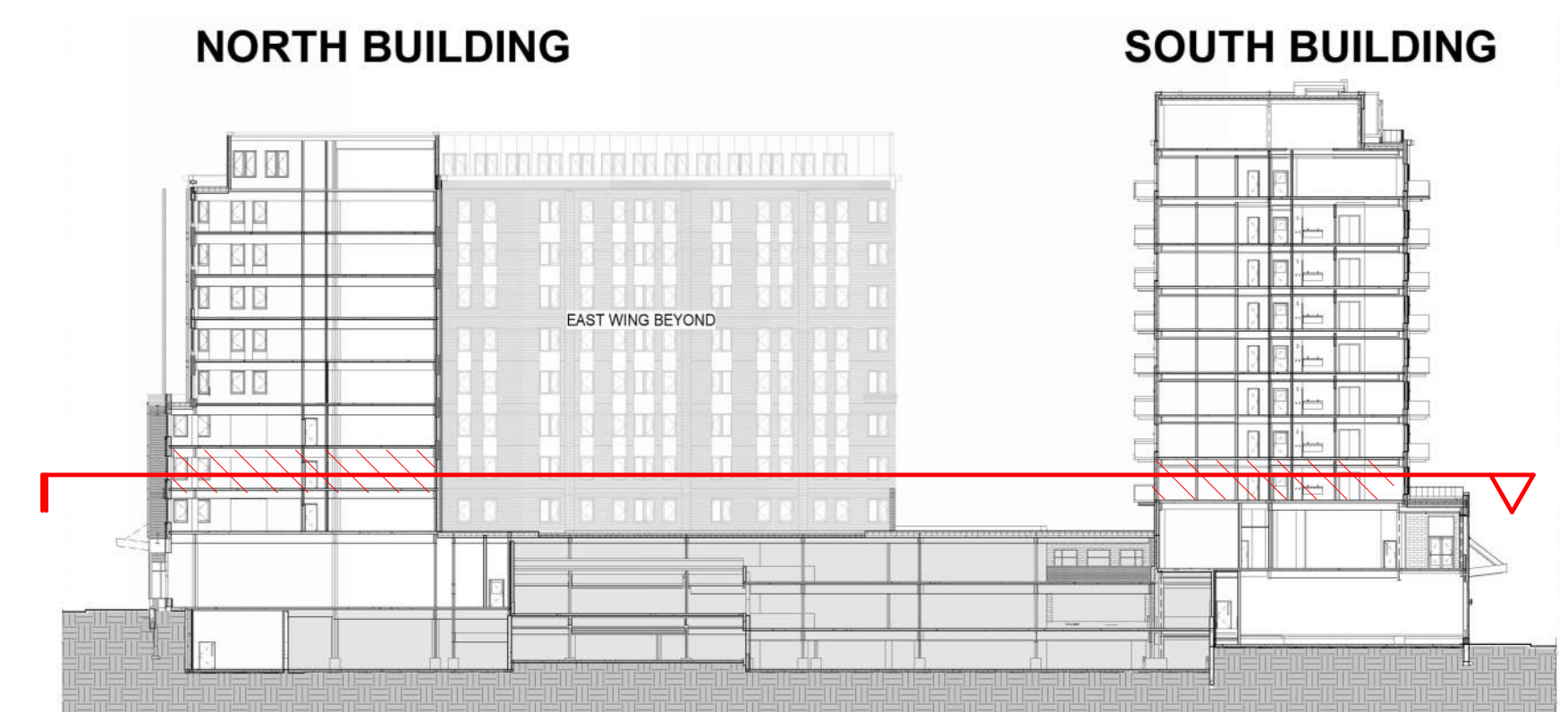
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OVERALL PLAN-
LEVEL 2

SHEET NO:

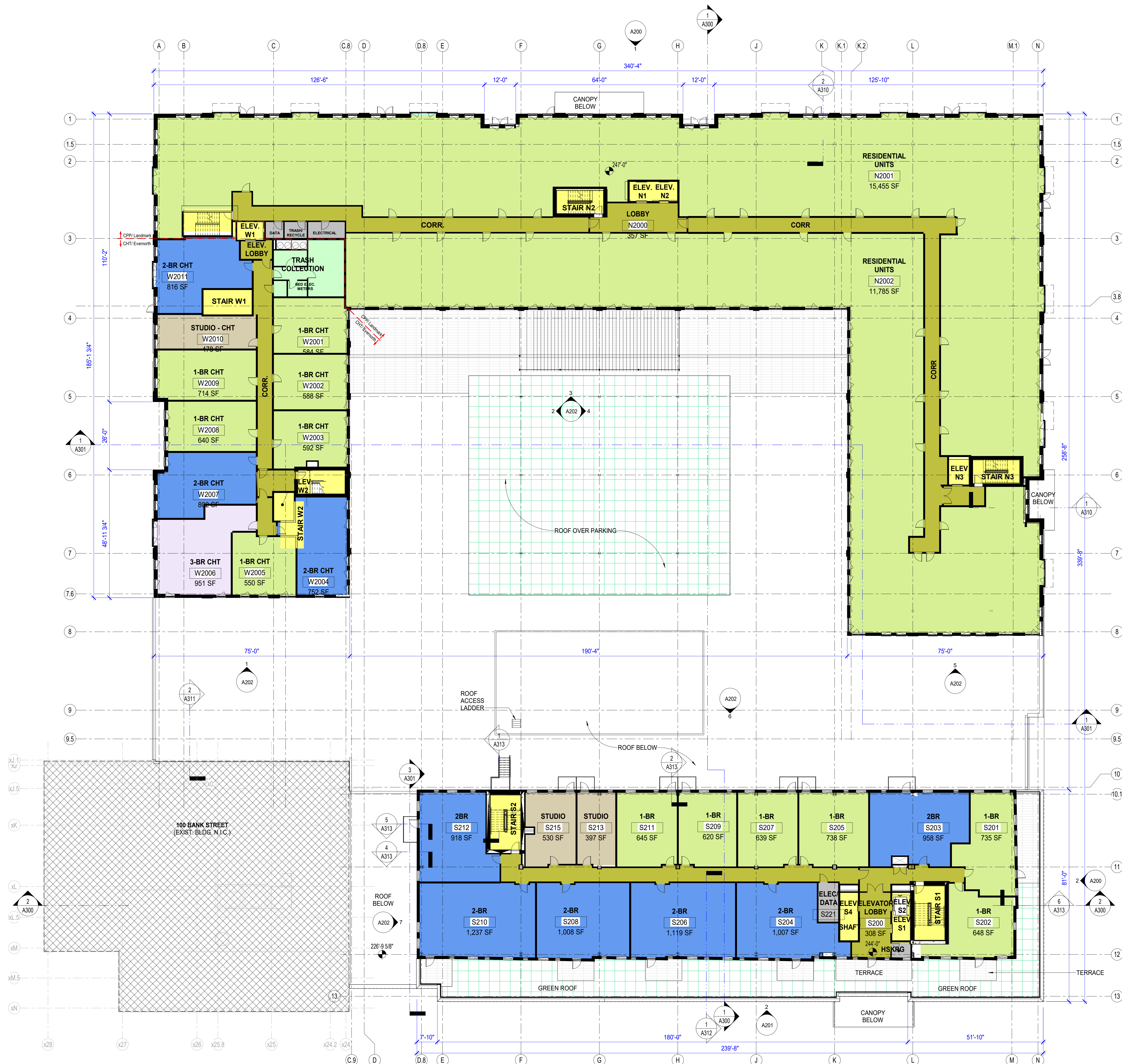
A102

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5/11/2023 12:00:02 AM

2 LEVEL 2
A102 SCALE: 1/16" = 1'-0"



FLOOR PLAN GENERAL NOTES

ALSO SEE SYMBOL LEGEND ON COVER SHEET.

1. **DIMENSIONS:** ALL INTERIOR DIMENSIONS ARE TO FACE OF GWB OR TILE FINISH UNLESS OTHERWISE NOTED. EXTERIOR DIMENSIONS ARE TO NOMINAL CORNER OF MASONRY UNLESS NOTED OTHERWISE.
2. PLANS ARE TO BE VIEWED IN CONJUNCTION WITH CIVIL, LANDSCAPE, STRUCTURAL, MEP/FP AND ALL OTHER TRADES, AS APPROPRIATE. DISCREPANCIES ARE TO BE BROUGHT TO THE ARCHITECT'S ATTENTION FOR RESOLUTION BEFORE COMMENCING WORK.
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4. REFER TO CIVIL PLANS FOR LIMIT OF WORK.

FLOOR PLAN LEGEND

- EXISTING WALL TO REMAIN
- NEW CAST IN PLACE WALL-SEE WALL TAGS ON 1/8" AND 1/4" SCALE PLANS & STRUCTURAL
- NEW STUD WALL, SEE WALL TAGS ON 1/8" AND 1/4" SCALE PLANS
- WALLS NOT IN CURRENT SCOPE
- PARKING WALKWAYS/ STRIPING
- NEW STEEL/ CONCRETE COLUMN - SEE STRUCTURAL
- FINISH FLOOR ELEVATION

OCCUPANCY & USE LEGEND

- MEP / BUILDING SUPPORT
- RESIDENTIAL - STORAGE
- RES. LOBBY & AMENITY
- CIRCULATION
- ELEVATORS & STAIRS
- RESIDENTIAL STUDIO
- Jr. 1 BEDROOM RESIDENTIAL
- 1 BR RESIDENTIAL
- Jr. 2 BR RESIDENTIAL
- 2 BR RESIDENTIAL



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CITYPLACE
BURLINGTON
ZONING AMENDMENT, NOT FOR CONSTRUCTION

CityPlace Partners, LLC
110 Main Street, Burlington, VT 05401

FF PROJECT NO: 2253
CONSULTANT PROJ. #: 2253
ORIGINATOR DATE: 01/15/2021
SCALE: 1/16" = 1'-0"
DRAWN BY: JR/NE/CL
CHECKED BY: JDR
SOURCE: Zoning Submission
15 Oct 2020
Revision: 15 Nov 2020
Rev. 2: 15 Jan 2021
Rev. 3: 19 Feb 2021
Rev. 4: 12 Apr 2023
Rev. 5: 12 May 2023

SHEET CONTENTS:

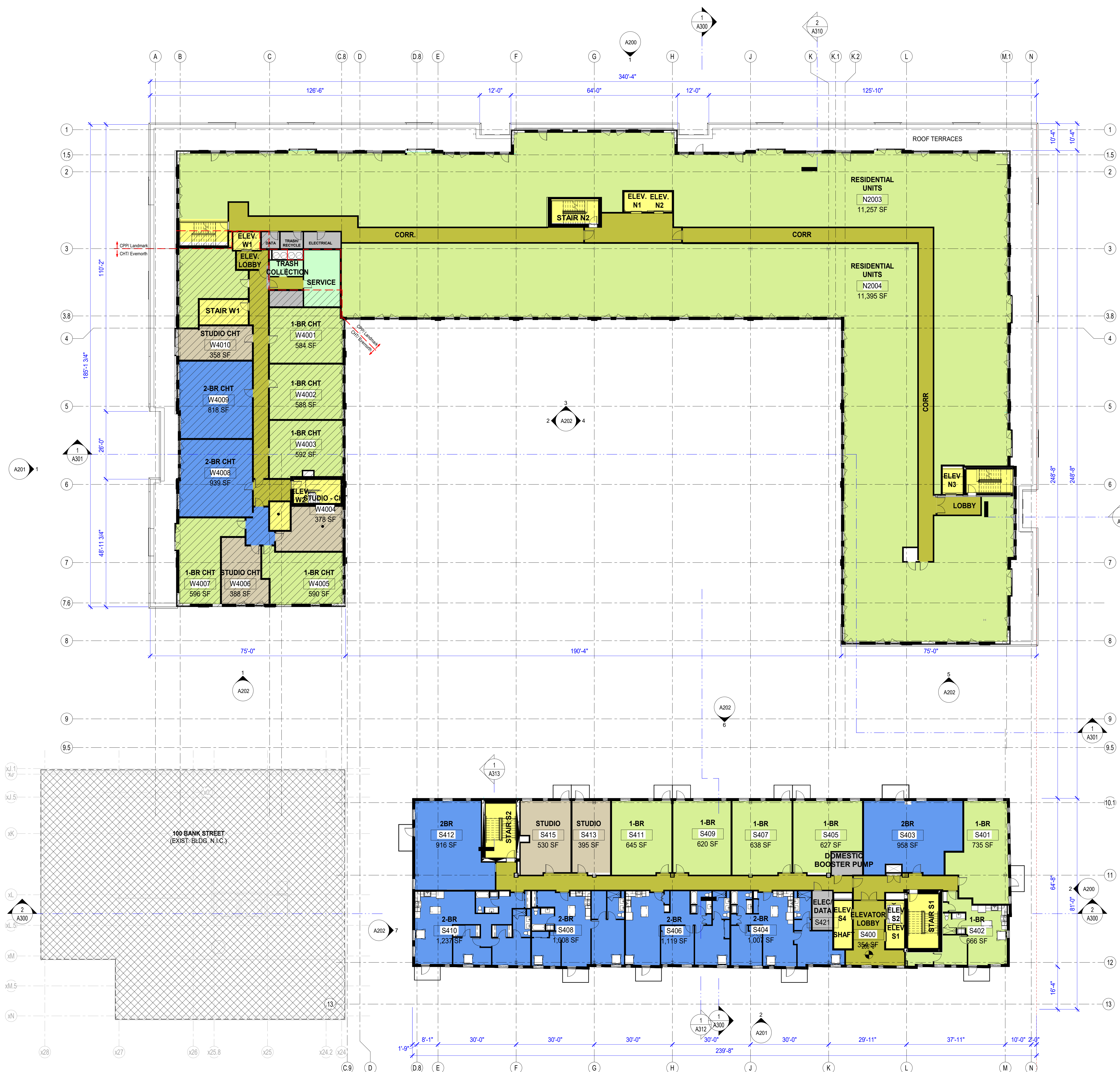
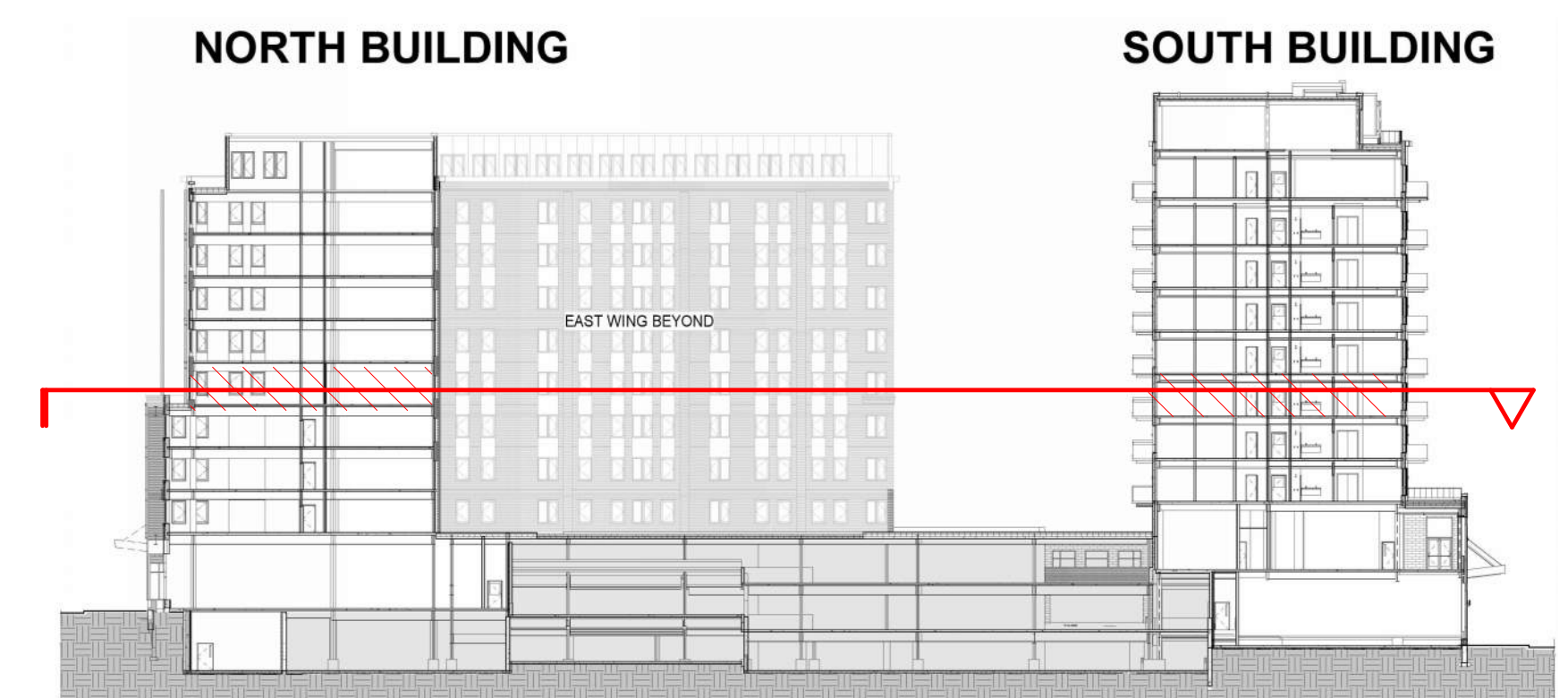
OVERALL PLAN-
LEVEL 4

SHEET NO:

A104

N - PROJECT NORTH
TRUE NORTH
MAGNETIC NORTH

GRAPHIC SCALE
0 8' 16' 32'

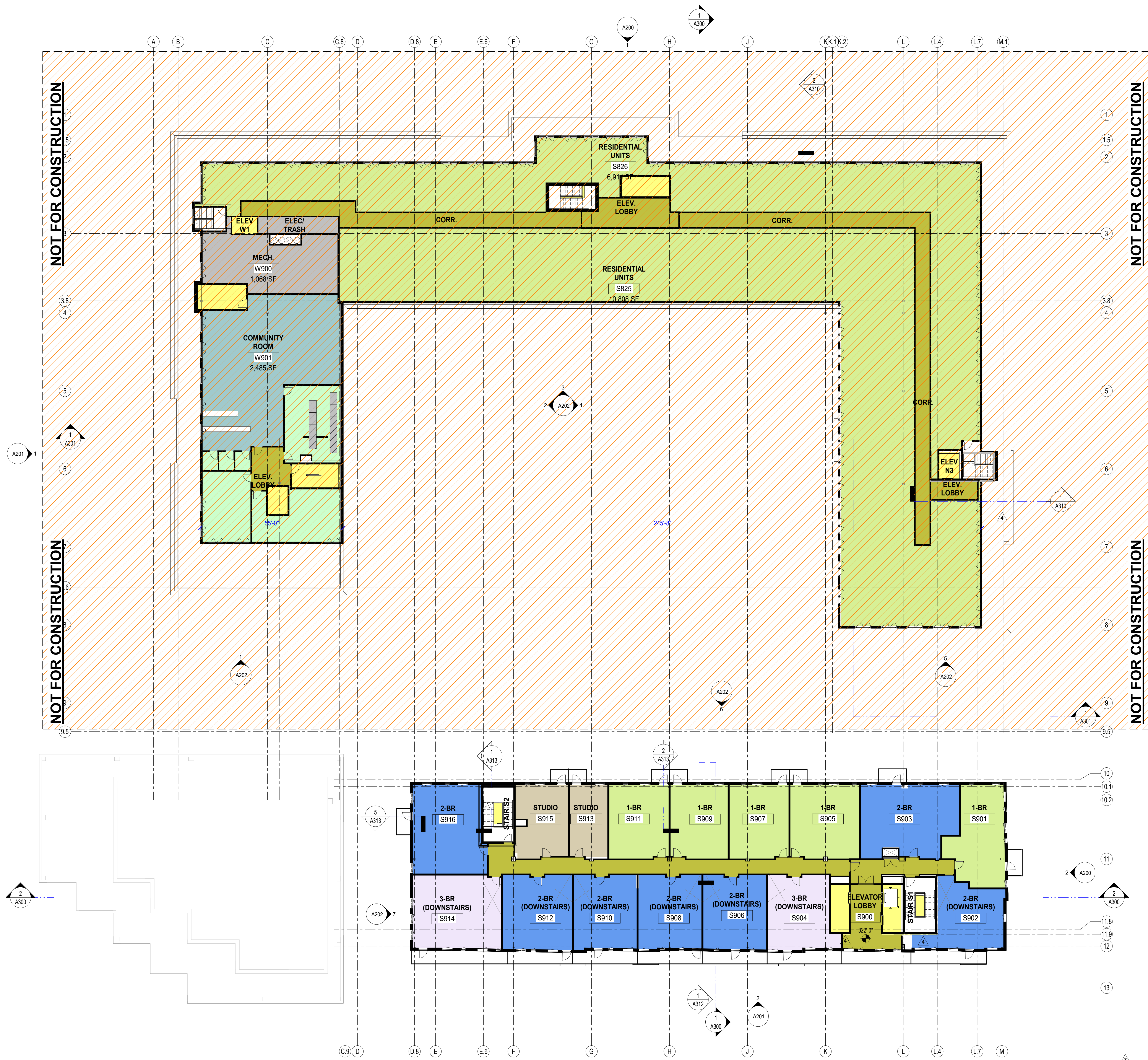


2 LEVEL 4
A104 SCALE: 1/16" = 1'-0"

5/11/2023 12:00:11 AM

5/11/2023 12:08 PM

1 LEVEL 9
SCALE: 1/16" = 1'-0"



FLOOR PLAN GENERAL NOTES

ALSO SEE SYMBOL LEGEND ON COVER SHEET.

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FLOOR PLAN LEGEND

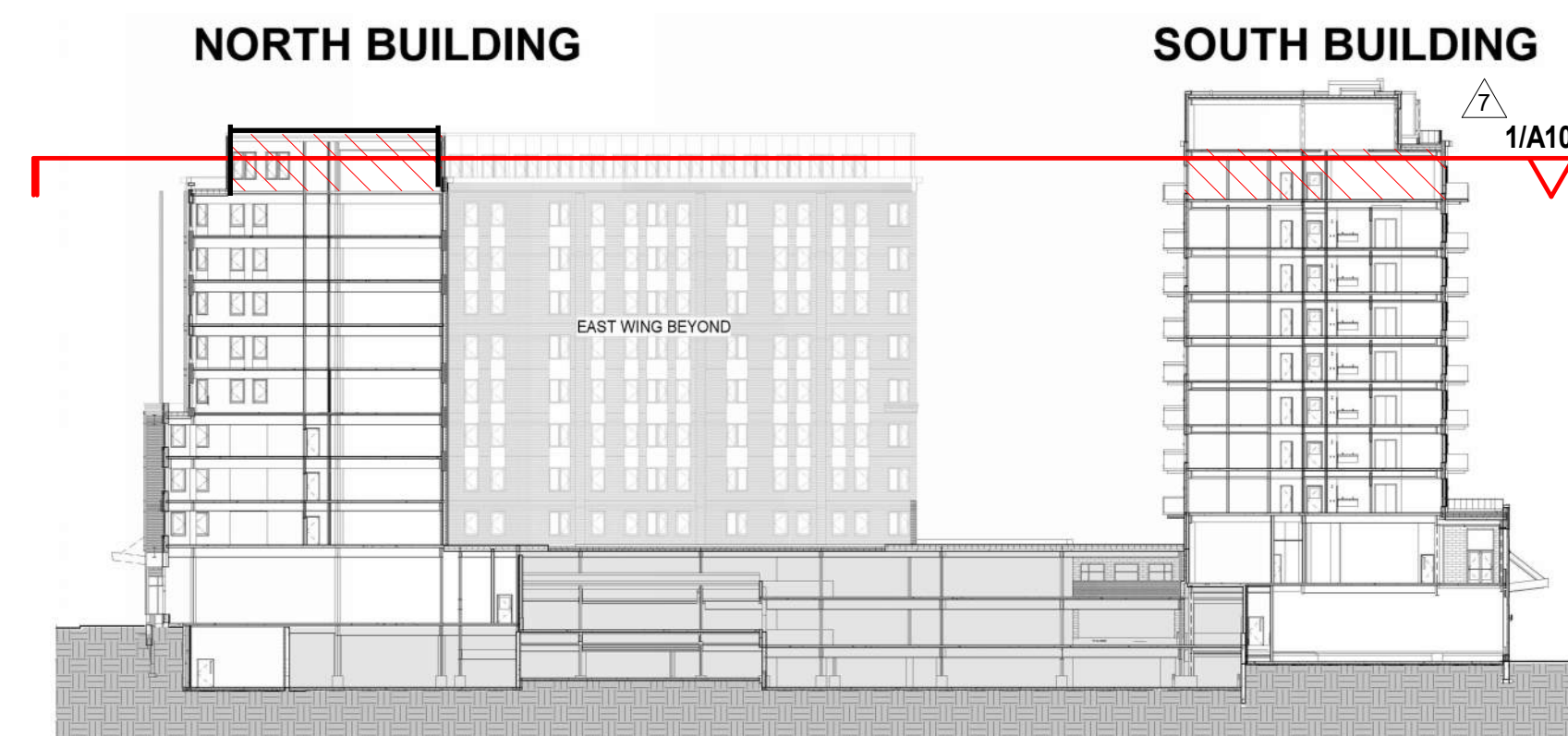
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OCCUPANCY & USE LEGEND

- MEP / BUILDING SUPPORT
- RESIDENTIAL - STORAGE
- RES. LOBBY & AMENITY
- ELEVATORS & STAIRS
- GREEN ROOF
- COMMUNITY SPACE

SOUTH BUILDING

- CIRCULATION
- ELEVATORS & STAIRS
- MEETING, MTG SUPPORT
- KITCHEN
- RESTAURANT
- PUBLIC OBSERVATION DECK



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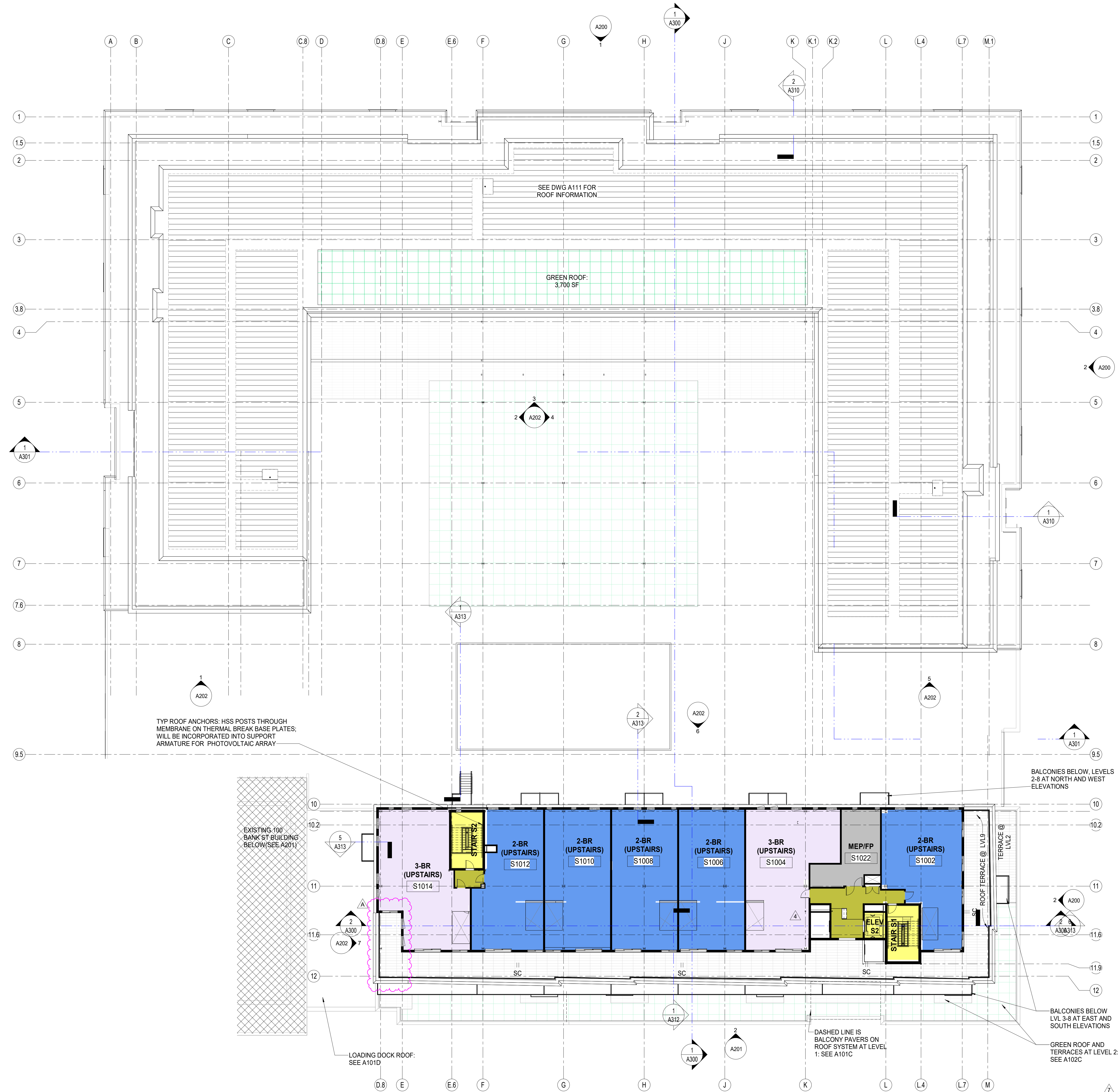
CITYPLACE
BURLINGTON
ZONING AMENDMENT, NOT FOR CONSTRUCTION

CityPlace Partners, LLC
110 Main Street, Burlington, VT 05401

FF PROJECT NO: 2253
CONSULTANT PROJ. #:
ORIGINATOR DATE: 01/15/2021
SCALE: 1/16" = 1'-0"
DRAWN BY: JR/NE/CL
CHECKED BY: JDR
SOURCE: Zoning Submission
Submission Clarifications
Rev. 1 15 Oct 2020
Rev. 2 19 Nov 2020
Rev. 3 15 Jan 2021
Rev. 4 19 Feb 2021
Rev. 5 12 Apr 2023
12 May 2023

SHEET CONTENTS:
OVERALL PLAN-
LEVEL 9

SHEET NO: A109
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FLOOR PLAN GENERAL NOTES

- ALSO SEE SYMBOL LEGEND ON COVER SHEET.
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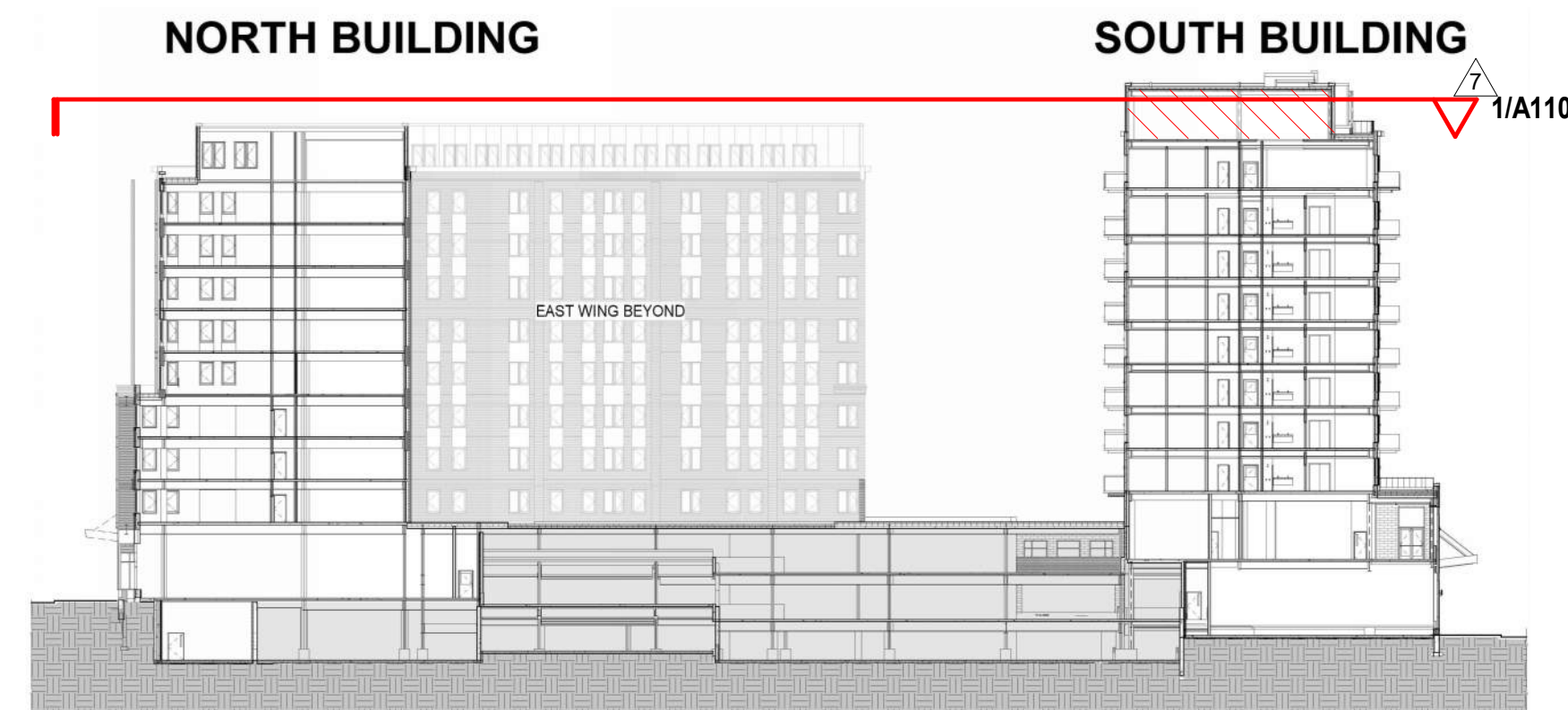
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- COMMUNITY SPACE

SOUTH BUILDING

- CIRCULATION
- ELEVATORS & STAIRS
- MEETING, MTG SUPPORT
- KITCHEN
- RESTAURANT
- PUBLIC OBSERVATION DECK



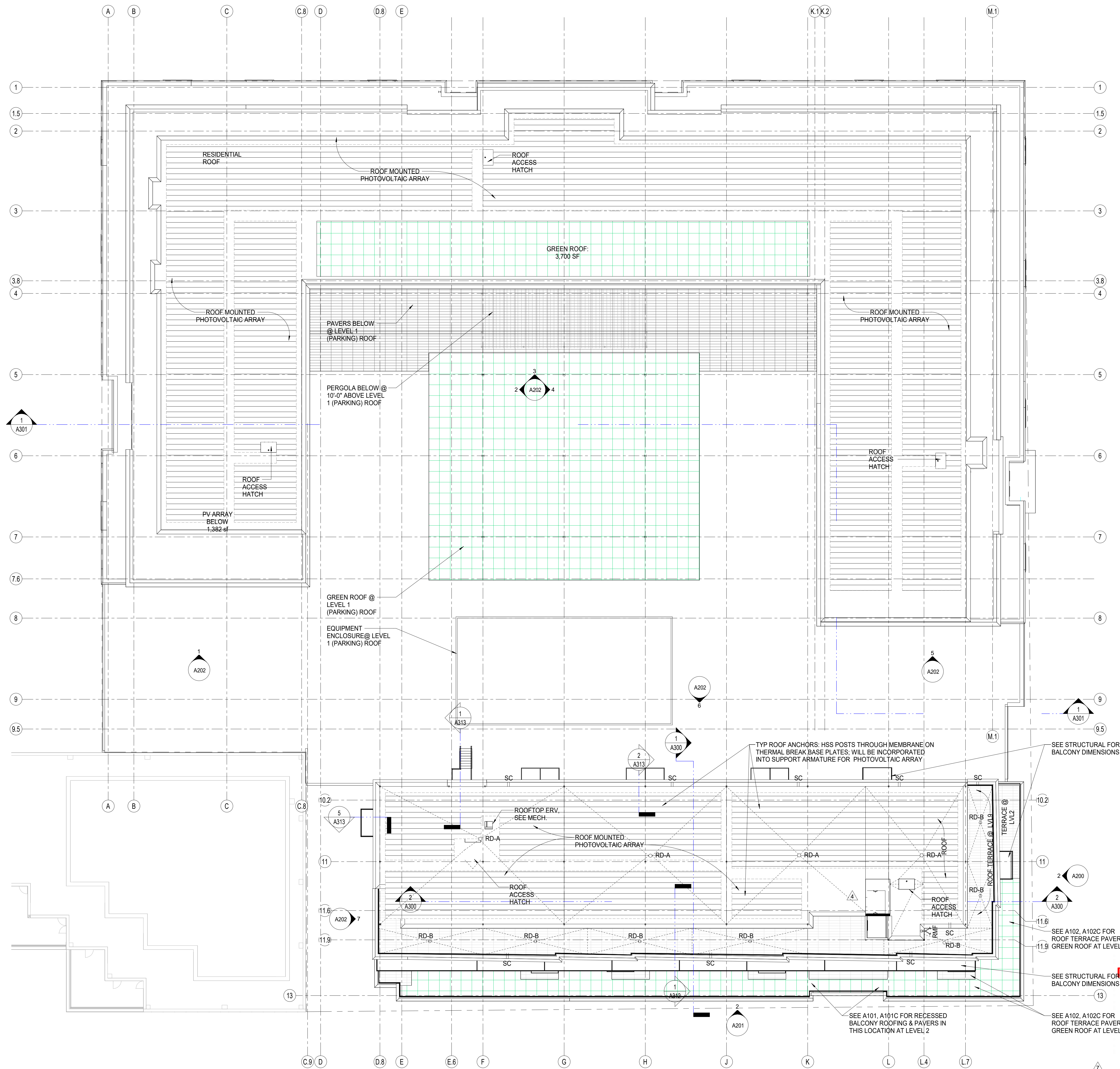
CITYPLACE
BURLINGTON
ZONING AMENDMENT, NOT FOR CONSTRUCTION

CityPlace Partners, LLC
110 Main Street, Burlington, VT 05401

FF PROJECT NO:	CONSULTANT PROJ. #:
2253	
ORIGINATOR DATE:	SCALE:
01/15/2021	1/16" = 1'-0"
DRAWN BY:	CHECKED BY:
JR/NE/CL	JDR
DATE LOG:	
Submission Clarifications	15 Oct 2020
Rev. 2	5 Nov 2020
Rev. 3	15 Jan 2021
Rev. 4	19 Feb 2021
Rev. 5	12 Apr 2023
	12 May 2023

OVERALL PLAN -
LEVEL 10

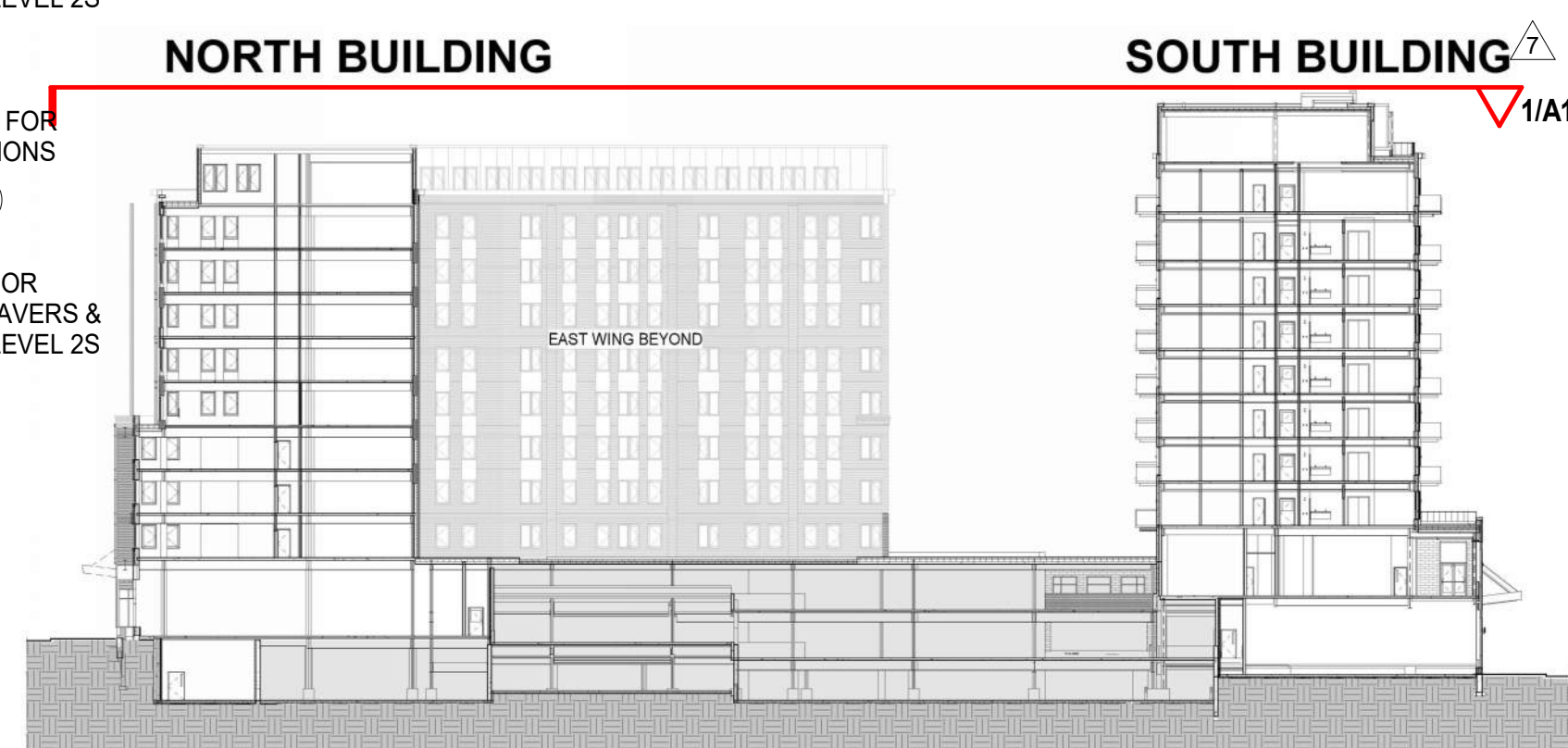
A110



ROOF PLAN LEGEND	
C	CANOPY
BW	BAY WINDOW PROJECTION
CR/GR	CABLE OR GLASS RAILING SYSTEM, T.O. GUARDRAIL MIN. 42" ABOVE ADJACENT SURFACE TERMINATE MAX 3 1/2" FROM ADJACENT WALLS
#	ROOF LEVEL DESIGNATION
MA	MAINTANANCE ANCHOR
MA1	MAINTANANCE ANCHOR MOUNTED TO STRUCTURAL COLUMN FOR FUTURE SOLAR SUPPORT
RMF	ROOF MANIFOLD- SEE ALSO FIRE PROTECTION (SPRINKLER) DRAWINGS
←	DIRECTION OF ROOF SLOPE TO DRAIN
○	ROOF DRAIN OR OVERFLOW ROOF DRAIN, REF. PLUMBING (SEE BELOW FOR DESCRIPTION)
RD-A	DOME ROOF DRAIN
RD-B	FLAT PLATE COVERED ROOF DRAIN BELOW PAVERS
RD-C	ROOF DRAIN AT GREEN ROOF
RD-D	OVERFLOW ROOF DRAIN (FLAT PLATE)
RD-E	OVERFLOW ROOF DRAIN AT GREEN ROOF
SC	SCUPPER
SC2	SCUPPER THROUGH PARAPET, SEE 14/A002, THRU- PARAPET SCUPPER MAY REQUIRE SCUPPER BOX & RAIN LEADER SIM. TO 5/A522
SCB	SCUPPER BOX & RAIN LEADER, SEE 5 /A522
[Symbol]	MEMBRANE ROOF
[Symbol]	GREEN ROOF AREA
[Symbol]	ROOF PAVERS (TYPE 1), NONE IN CURRENT CONTRACT
[Symbol]	ROOF PAVERS (TYPE 2), SEE SPECS, 07.5000, 2.15 TYPE 2A: PUBLIC AREAS (LEVELS 1S, 9S) TYPE 2B: RESIDENTIAL AREAS (LEVEL 2S)

- ROOF PLAN GENERAL NOTES**
- SEE EXTERIOR WALL SECTION SHEETS AND EXTERIOR ASSEMBLY SHEET FOR ROOF SYSTEM NOTES.
 - SEE MEP/FP DRAWINGS & SPECIFICATIONS FOR ROOF TOP EQUIPMENT REQUIREMENTS INCLUDING CURBS.
 - SEE PLUMBING DWGS FOR ROOF DRAIN QUANTITIES, SIZES & LAYOUT. CONTACT ARCHITECT IF DISCREPANCIES ARE FOUND.
 - SECONDARY ROOF DRAINAGE IS PROVIDED USING SCUPPERS. COORDINATE FINAL SCUPPER LOCATIONS WITH ARCHITECT IN BOTH PLAN AND ELEVATION.
 - ROOF INSULATION IS TAPERED AT 1/4" PER FOOT. CRICKETS ARE TAPERED AT 1/2" PER FOOT, UNLESS OTHERWISE NOTED.
 - RESIDENTIAL BALCONIES AT SOUTH BUILDING ARE PRECAST SLABS ON STEEL FRAMES AND SLOPE TO DRAIN. SEE SECTION DETAILS.
 - SEE MEP/FP & STRUCTURAL DRAWINGS & SPECIFICATIONS FOR OTHER ROOF PENETRATIONS NOT SHOWN ON ARCHITECTURAL DRAWINGS.
 - INSTALL ROOF RAILING SYSTEMS WITH MIN. HEIGHT 42" ABOVE HIGHEST WALKING SURFACE (WHICH MAY INCLUDE PLANTED ROOFS) AND WITH NOT MORE THAN 3/4" GAP WHERE RAILS TERMINATE NEXT TO WALLS OR OTHER BUILDING ELEMENTS.

PHOTOVOLTAIC & GREEN ROOF AREAS	
PHOTOVOLTAIC ARRAY AREA (estimated):	
N & W Building combined- Roof & PH Roof:	18,393sf
S Building- Roof & PH Roof:	9,049sf
TOTAL	28,442sf
Effective area w/ rooftop eqpt, stacks, etc: ±23,500 sf	
Estimated generation at 12kWh/sf/yr: ~282,000 kWh/yr	
PV estimates subject to utility agreements and installer/operator requirements.	
GREEN ROOF AREA:	
Level 9 Roof (Level 9): North Building:	3,700 sf
Parking Roof (Level 1): North Building:	8,400 sf
Level 2 Roof, South Building:	3,000 sf
TOTAL GREEN ROOF	15,100 sf
Green roof requirement (Per state stormwater permit 7780-9050): 0.346AC =15,072sf	





1 NORTH (CHERRY STREET) ELEVATION
A200 SCALE: 1/16" = 1'-0" REF: A090

NORTH ELEVATION - MATERIALS LEGEND		
MATERIAL	N. BUILDING AREA (Sq Ft)	% OF WHOLE
PRIMARY MATERIAL 1A RED BRICK	19,498	54
PRIMARY MATERIAL 1B BUFF BRICK	3,627	10
PRIMARY MATERIAL 2 - CURTAINWALL GLAZING** (TRANSPARENT/ SPANDREL)	7,073	20
SECONDARY MATERIAL 1 METAL PANEL* (COLORS VARY)	3,415	10
SECONDARY MATERIAL 2 GRANITE	744	2
SECONDARY MATERIAL 3 LIMESTONE OR PRECAST SILL	119	1
LOUVERS, PAINTED TO MATCH ADJ. METAL PANEL OR CURTAIN WALL FRAME	1,188	3
TOTAL ELEVATION, EXCLUDING WINDOWS	35,664	100
TOTAL ELEVATION, INCLUDING WINDOWS**	47,197	**

NOTES:
* METAL PANEL WITHIN CURTAINWALL AREAS IS COUNTED AS METAL PANEL
** EXCEPT FOR CURTAINWALL, GLAZING IS EXCLUDED FROM MATERIALS TAKEOFFS
QUANTITIES ARE ACCURATE FOR ZONING COMPLIANCE AND INCLUDE ONLY MATERIALS VISIBLE FROM THE STREET. THEY DO NOT INCLUDE WALL RETURNS OR PORTIONS OF WALLS HIDDEN BY PARAPETS OR OTHER WALLS AND SHOULD NOT BE USED BY THE CONTRACTOR.

EAST ELEVATION - MATERIALS LEGEND				
MATERIAL	N. BUILDING AREA (Sq Ft)	S. BUILDING AREA (Sq Ft)	TOTAL AREA (Sq Ft)	% OF WHOLE
PRIMARY MATERIAL 1A RED BRICK	10,931	N/A	10,931	33.5
PRIMARY MATERIAL 1B BUFF BRICK	2,769	N/A	2,769	8.5
PRIMARY MATERIAL 2 - CURTAINWALL GLAZING** (TRANSPARENT/ SPANDREL)	4,410	1,505	5,915	18
SECONDARY MATERIAL 1 METAL PANEL (COLORS VARY)	3,739	496	4,235	13
SECONDARY MATERIAL 2 GRANITE	553	140	693	2
SECONDARY MATERIAL 3 LIMESTONE OR PRECAST SILL	37	N/A	37	-
LOUVERS, PAINTED TO MATCH ADJ. METAL PANEL OR CURTAIN WALL FRAME	834	315**	1,149	3.5
PRIMARY MATERIAL 3A- SINTERED STONE PANEL (MATCH TO LIMESTONE)	N/A	5,705	5,705	17.5
PRIMARY MATERIAL 3B LIMESTONE	N/A	1,190	1,190	4
TOTAL ELEVATION, EXCLUDING WINDOWS	23,273	9,349	32,622	100
TOTAL ELEVATION, INCLUDING WINDOWS**	24,716	10,106	34,822	N/A

NOTES:
* METAL PANEL WITHIN CURTAINWALL AREAS IS COUNTED AS METAL PANEL
** EXCEPT FOR CURTAINWALL, GLAZING IS EXCLUDED FROM MATERIALS TAKEOFFS
PRIMARY MATERIALS TOTAL: 82.5%; SECONDARY MATERIALS: 17.5%
*** INCLUDES 8" ROUND LOUVERS FOR HEATING UNITS, AVG 3 PER UNIT, NOT SHOWN BUT TO BE GROUPED AND ORGANIZED IDENTICALLY ON EACH FLOOR LEVEL & PAINTED TO MATCH SINTERED STONE PANELS AS WELL AS LOUVERS INTEGRATED INTO CURTAINWALL.
QUANTITIES ARE ACCURATE FOR ZONING COMPLIANCE AND INCLUDE ONLY MATERIALS VISIBLE FROM THE STREET. THEY DO NOT INCLUDE WALL RETURNS OR PORTIONS OF WALLS HIDDEN BY PARAPETS OR OTHER WALLS AND SHOULD NOT BE USED BY THE CONTRACTOR.

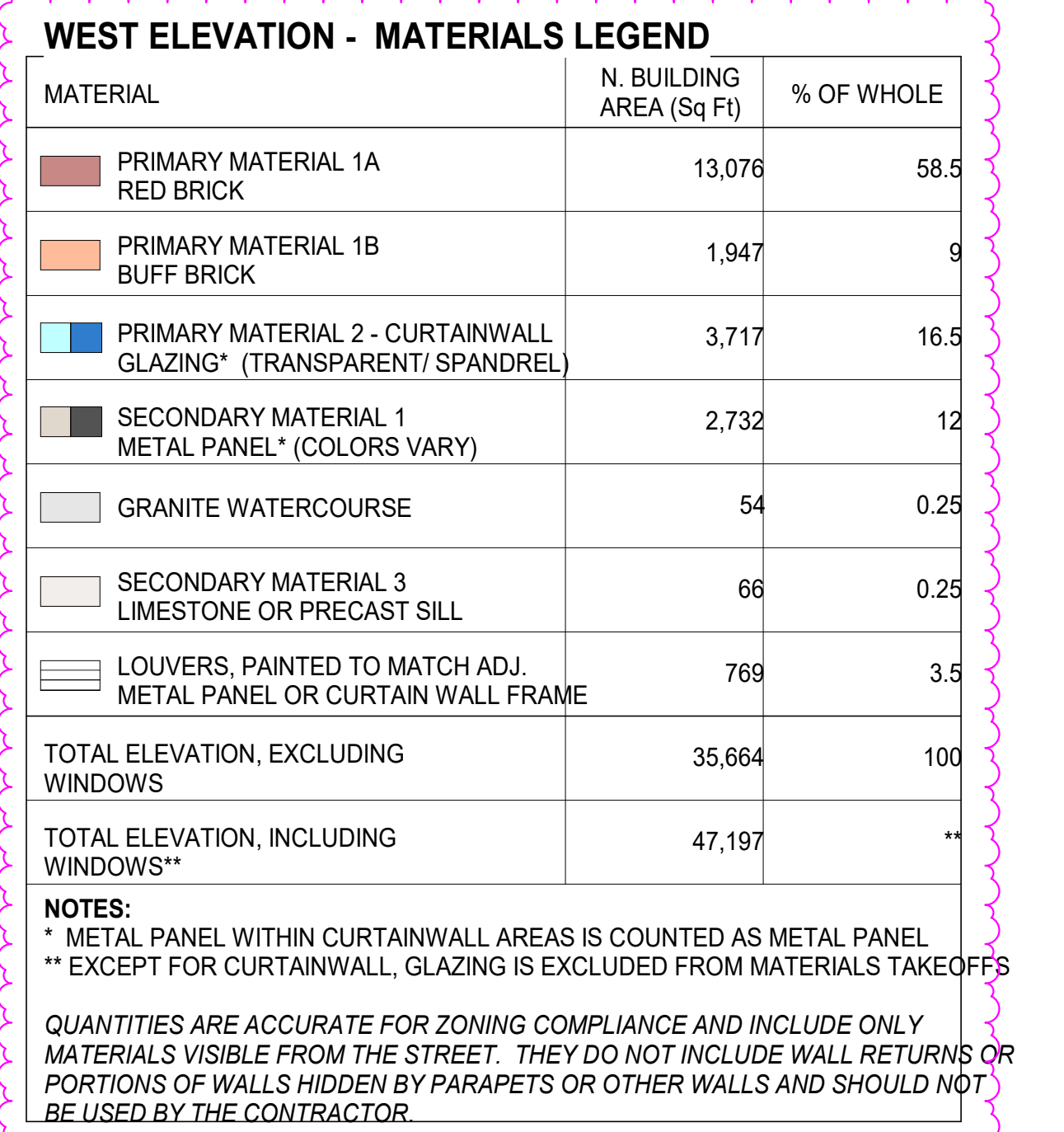
ELEVATION & SECTION GENERAL NOTES

- QUANTITIES SHOWN ARE FOR ZONING COMPLIANCE AND GENERAL INFORMATION ONLY AND DO NOT INCLUDE WALL RETURNS, AREAS HIDDEN BY OTHER WALLS, ETC. CONTRACTOR IS RESPONSIBLE FOR THEIR OWN TAKE-OFFS BASED ON REVIEW OF THE COMPLETE SET OF DRAWINGS AND SPECIFICATIONS.
- BUILDING HEIGHTS MEASURED FROM AVERAGE GRADE AT FACE OF BUILDING/ SIDEWALK TO ROOF DECK ABOVE THE HIGHEST OCCUPIED LEVEL.

CITYPLACE
BURLINGTON
ZONING AMENDMENT, NOT FOR CONSTRUCTION

CityPlace Partners, LLC
110 Main Street, Burlington, VT 05401

PROJECT NO.: 2253	CONSULTANT PROJ. #:
ORIGINATION DATE: 01/15/2021	SCALE: 1/16" = 1'-0"
DRAWN BY: CL/NE/JC	CHECKED BY: JDR
DATE: 01/15/2021	DATE: 01/15/2021
REVISIONS: Rev. 1: 01/15/2021 Rev. 2: 01/15/2021 Rev. 3: 01/15/2021 Rev. 4: 01/15/2021 Rev. 5: 01/15/2021 Rev. 6: 01/15/2021	REVISIONS: Rev. 1: 01/15/2021 Rev. 2: 01/15/2021 Rev. 3: 01/15/2021 Rev. 4: 01/15/2021 Rev. 5: 01/15/2021 Rev. 6: 01/15/2021
SHEET NO.: A200	



MATERIAL	N. BUILDING AREA (Sq Ft)	% OF WHOLE
 PRIMARY MATERIAL 3A STONE-LOOK PANEL	16,810	59
 PRIMARY MATERIAL 3B LIMESTONE	3,605	12.5
 PRIMARY MATERIAL 2 - CURTAINWALL GLAZING (TRANSPARENT/ SPANDEL)	4,122	14.5
 SECONDARY MATERIAL 1 METAL PANEL (COLORS VARY)	2,420	8.5
 GRANITE WATERCOURSE	360	1.5
 LOUVERS***, PAINTED TO MATCH ADJ. METAL PANEL, STONE, OR CURTAINWALL	1,205	4
TOTAL ELEVATION, EXCLUDING WINDOWS	28,522	100
TOTAL ELEVATION, INCLUDING WINDOWS**	33,375	**

NOTES:
 * METAL PANEL WITHIN CURTAINWALL AREAS IS COUNTED AS METAL PANEL
 ** EXCEPT FOR CURTAINWALL, GLAZING IS EXCLUDED FROM MATERIALS TAKEOFFS
 PRIMARY MATERIALS TOTAL: 82.5%; SECONDARY MATERIALS: 17.5%
 *** INCLUDES 8"x8" ROUND LOUVERS FOR HEATING UNITS, AVG 3 PER UNIT, NOT SHOWN BUT TO BE GROUPED AND ORGANIZED IDENTICALLY ON EACH FLOOR LEVEL & PAINTED TO MATCH SINTERED STONE PANELS AS WELL AS LOUVERS INTEGRATED INTO CURTAINWALL.

QUANTITIES ARE ACCURATE FOR ZONING COMPLIANCE AND INCLUDE ONLY MATERIALS VISIBLE FROM THE STREET. THEY DO NOT INCLUDE WALL RETURNS OR PORTIONS OF WALLS HIDDEN BY PARAPETS OR OTHER WALLS AND SHOULD NOT BE USED BY THE CONTRACTOR.

1. QUANTITIES SHOWN ARE FOR ZONING COMPLIANCE AND GENERAL INFORMATION ONLY AND DO NOT INCLUDE WALL RETURNS, AREAS HIDDEN BY OTHER WALLS, ETC. CONTRACTOR IS RESPONSIBLE FOR THEIR OWN TAKE-OFFS BASED ON REVIEW OF THE COMPLETE SET OF DRAWINGS AND SPECIFICATIONS.

2. BUILDING HEIGHTS MEASURED FROM AVERAGE GRADE AT FACE OF BUILDING/ SIDEWALK TO ROOF DECK ABOVE THE HIGHEST OCCUPIED LEVEL.



3 CHERRY AND PINE
A210 SCALE: 1/4" = 1'-0"

1 CHERRY AND ST PAUL
A210 SCALE: 1/4" = 1'-0"



4 PINE CLOSE UP
A210 SCALE: 1/4" = 1'-0"

2 ST PAUL CLOSE UP
A210 SCALE: 1/4" = 1'-0"

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CITYPLACE
BURLINGTON
ZONING AMENDMENT, NOT FOR CONSTRUCTION

CityPlace Partners, LLC
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PROJECT NO:	CONSULTANT PROJ. #:
2253	
ORIGINATOR DATE:	SCALE:
01/15/2021	1/4" = 1'-0"
DRAWN BY:	CHECKED BY:
CL/NE/JC	JDR
ISSUE LOG:	
Zoning Submission	15 Oct 2020
Submission Clarifications	9 Nov 2020
Rev. 2	15 Jan 2021
Rev. 3	19 Feb 2021
Rev. 4	12 Apr 2023

SHEET CONTENTS:
**NORTH BLDG
RENDERINGS**

SHEET NO:
A210



BANK AND SAINT PAUL



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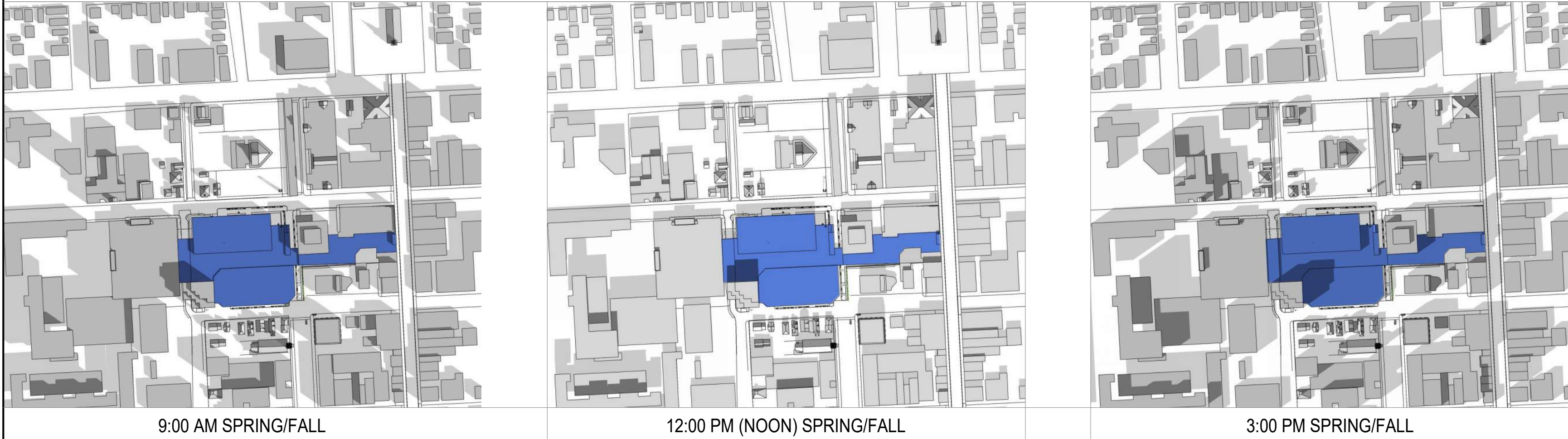
CityPlace Partners, LLC
110 Main Street, Burlington, VT 05401

FFI PROJECT NO:	CONSULTANT PROJ. #:
2253	
ORIGINATOR DATE:	SCALE:
01/15/2021	
DRAWN BY:	CHECKED BY:
CL/NE/JC	JDR
ISSUE LOG:	
Zoning Submission	
Submission Clarifications	
Rev. 1	15 Oct 2020
Rev. 2	09 Nov 2020
Rev. 3	15 Jan 2021
Rev. 4	19 Feb 2021
Rev. 5	12 Apr 2023
Rev. 6	12 May 2023

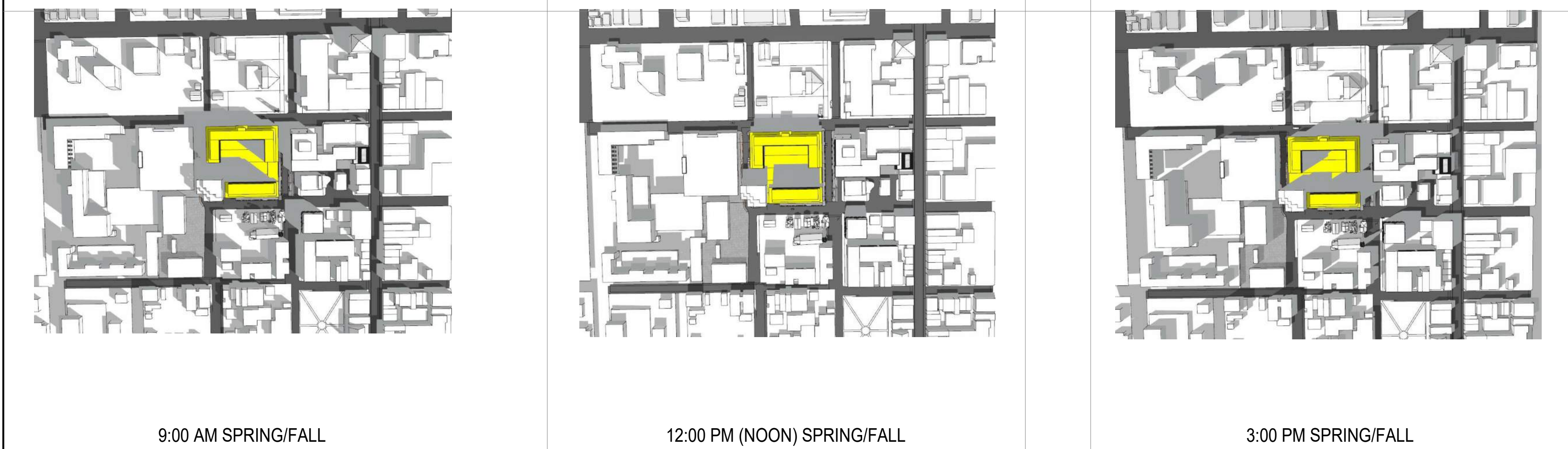
SOUTH BLDG
RENDERINGS

SHEET NO:
A211

SUN STUDY - VERNAL EQUINOX (SPRING AND FALL EQUINOX)

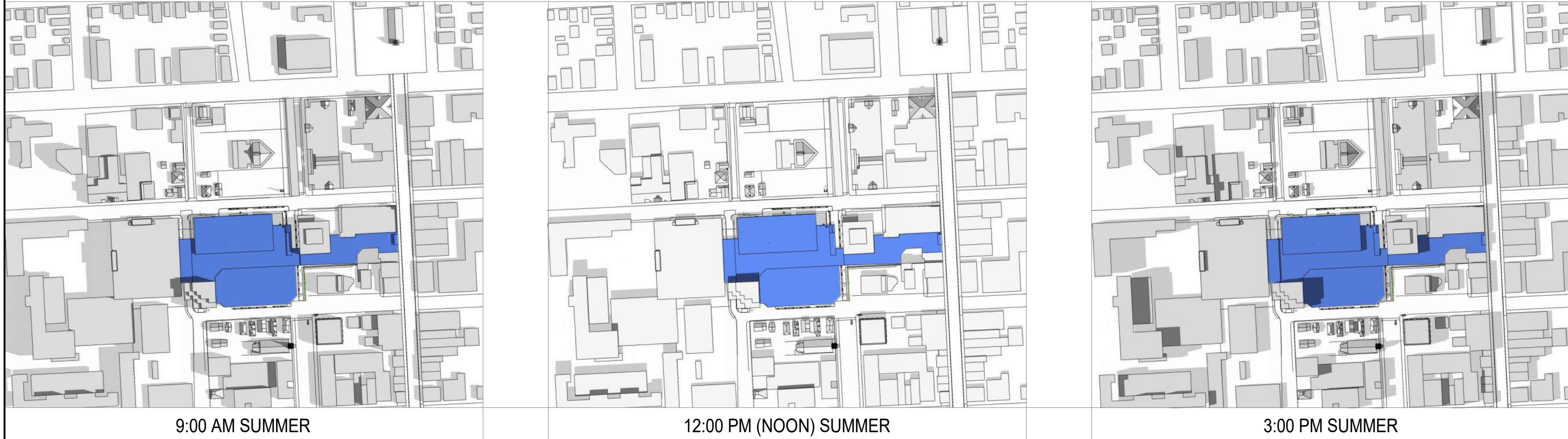


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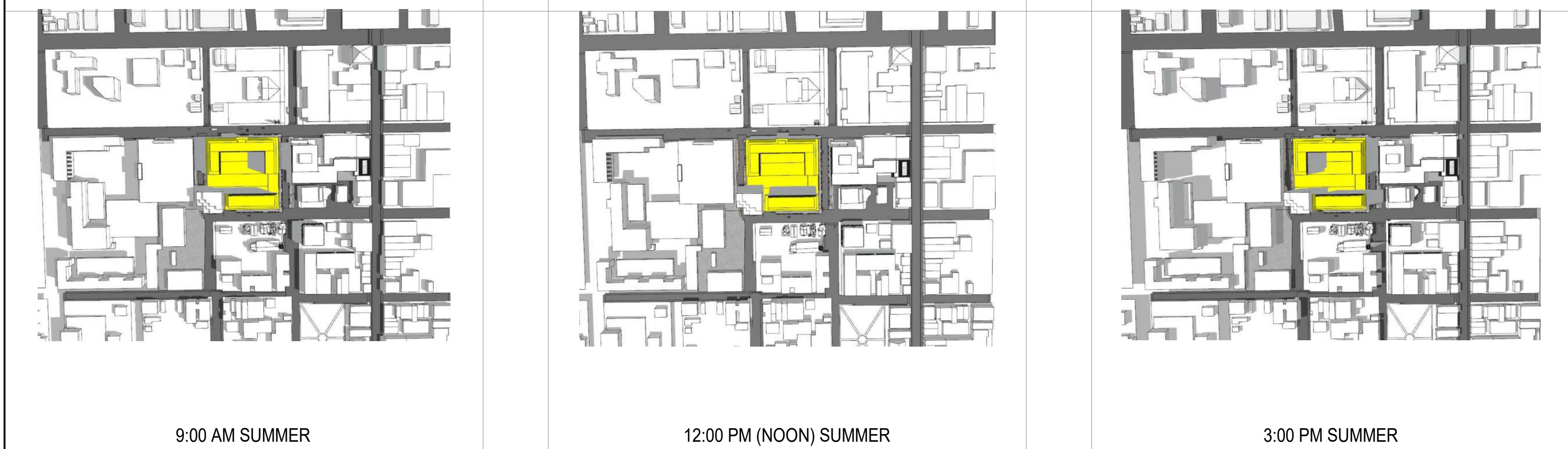


PROPOSED

SUN STUDY - SUMMER SOLSTICE

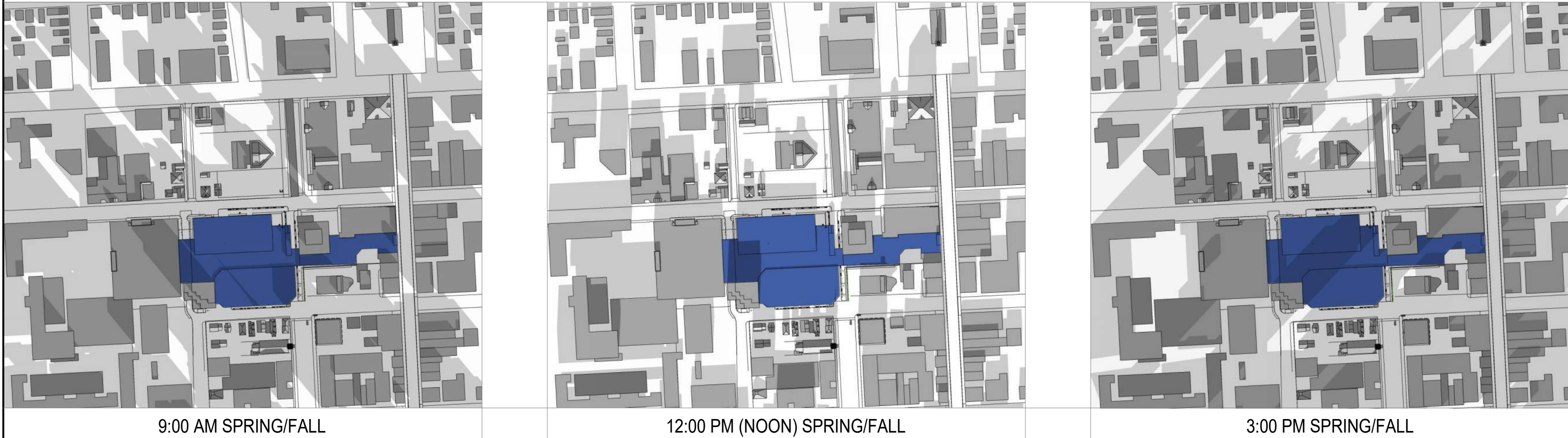


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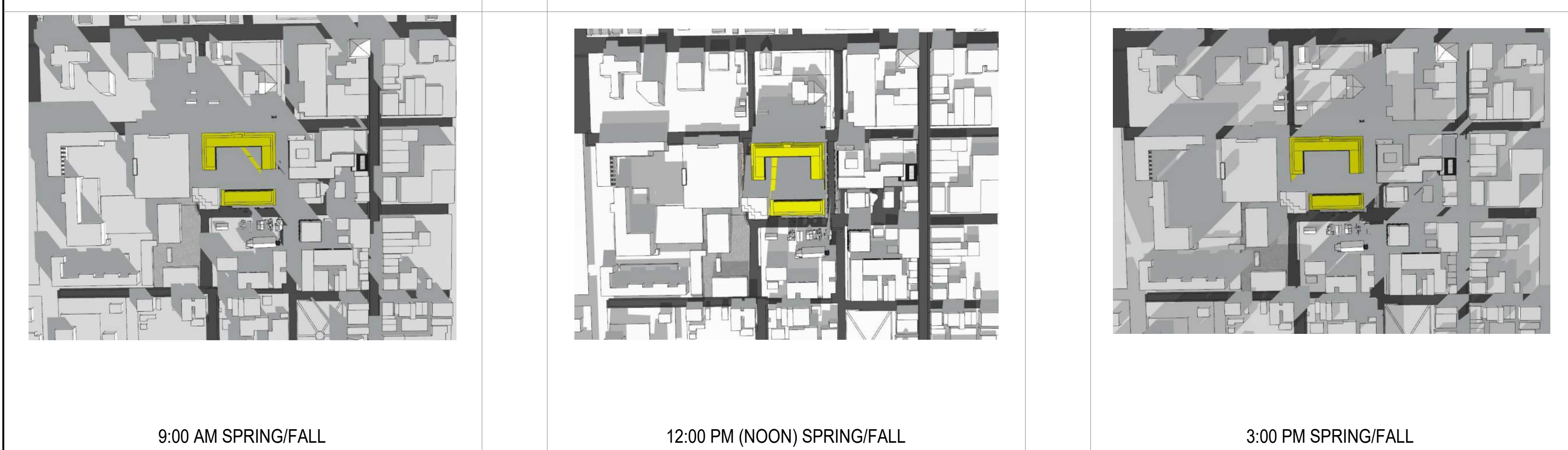


PROPOSED

SUN STUDY - WINTER SOLSTICE



EXISTING



PROPOSED



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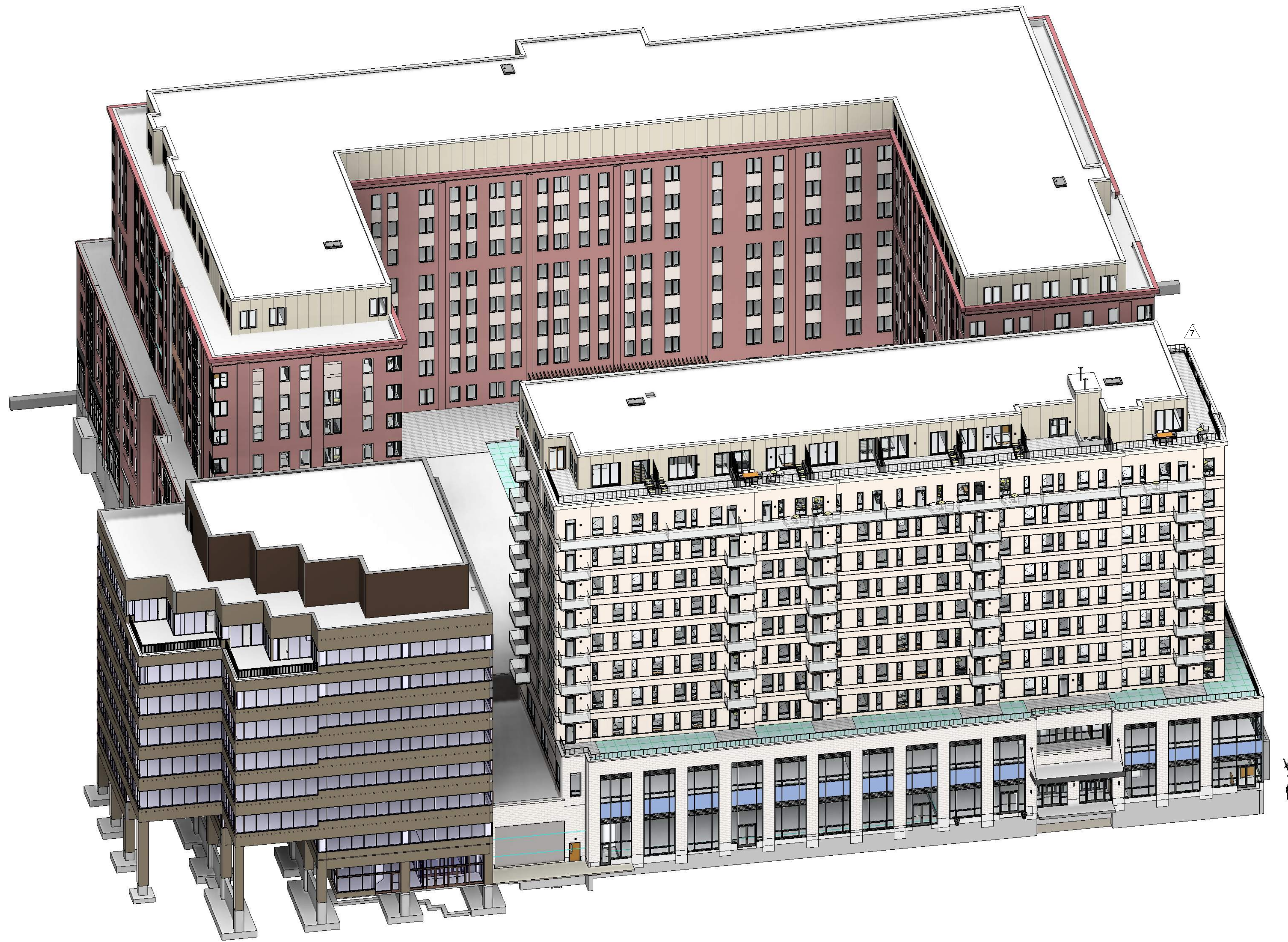
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ORIGINATOR DATE:	01/15/2021	SCALE:	1/4" = 1'-0"
DRAWN BY:	CL/NE/JC	CHECKED BY:	JDR
ISSUE LOGS:			
Zoning Submission		15 Oct 2020	
Submission Clarifications		9 Nov 2020	
Rev. 2		15 Jan 2021	
Rev. 3		19 Feb 2021	
Rev. 5		12 May 2023	

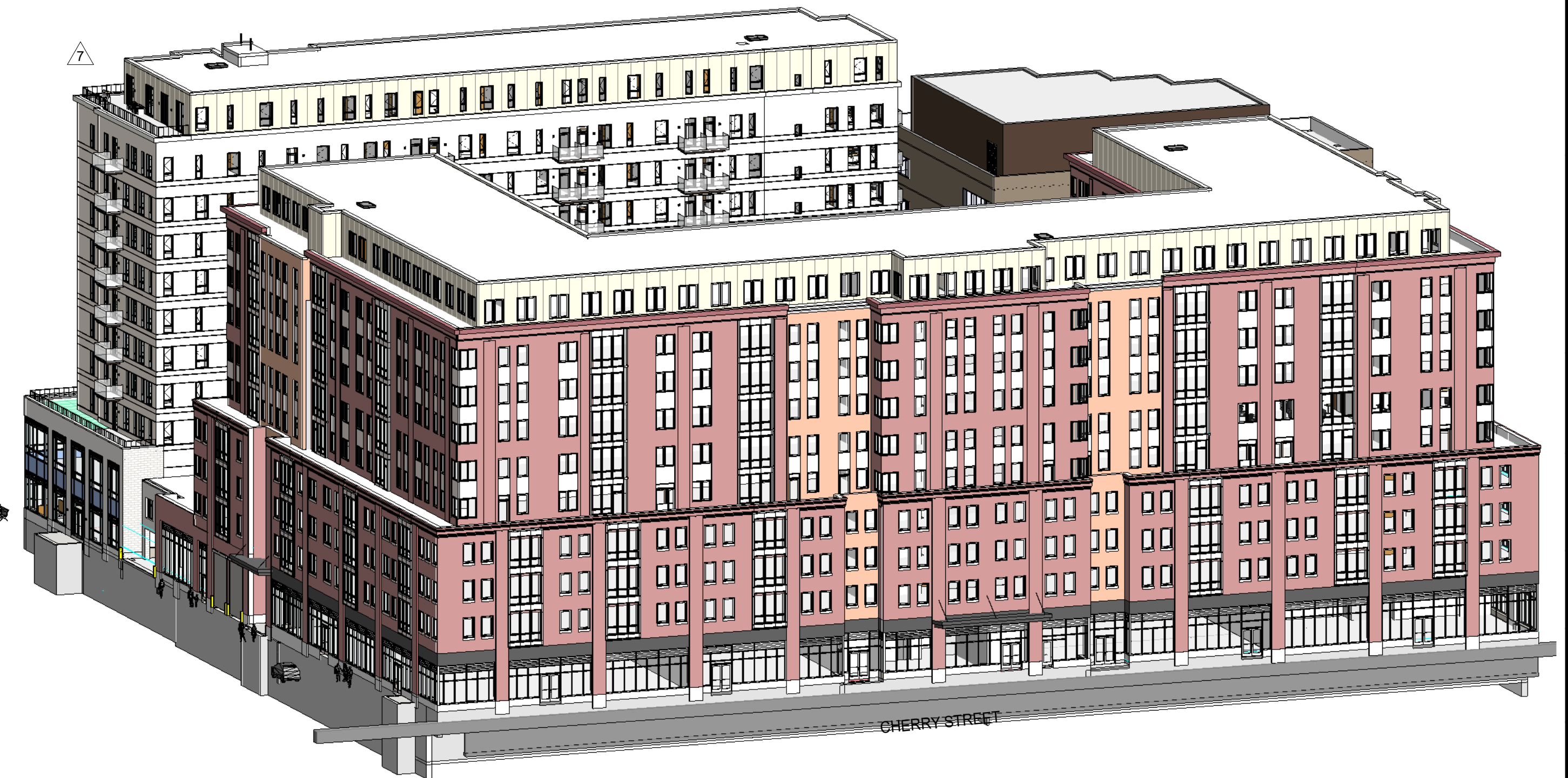
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SUN STUDIES

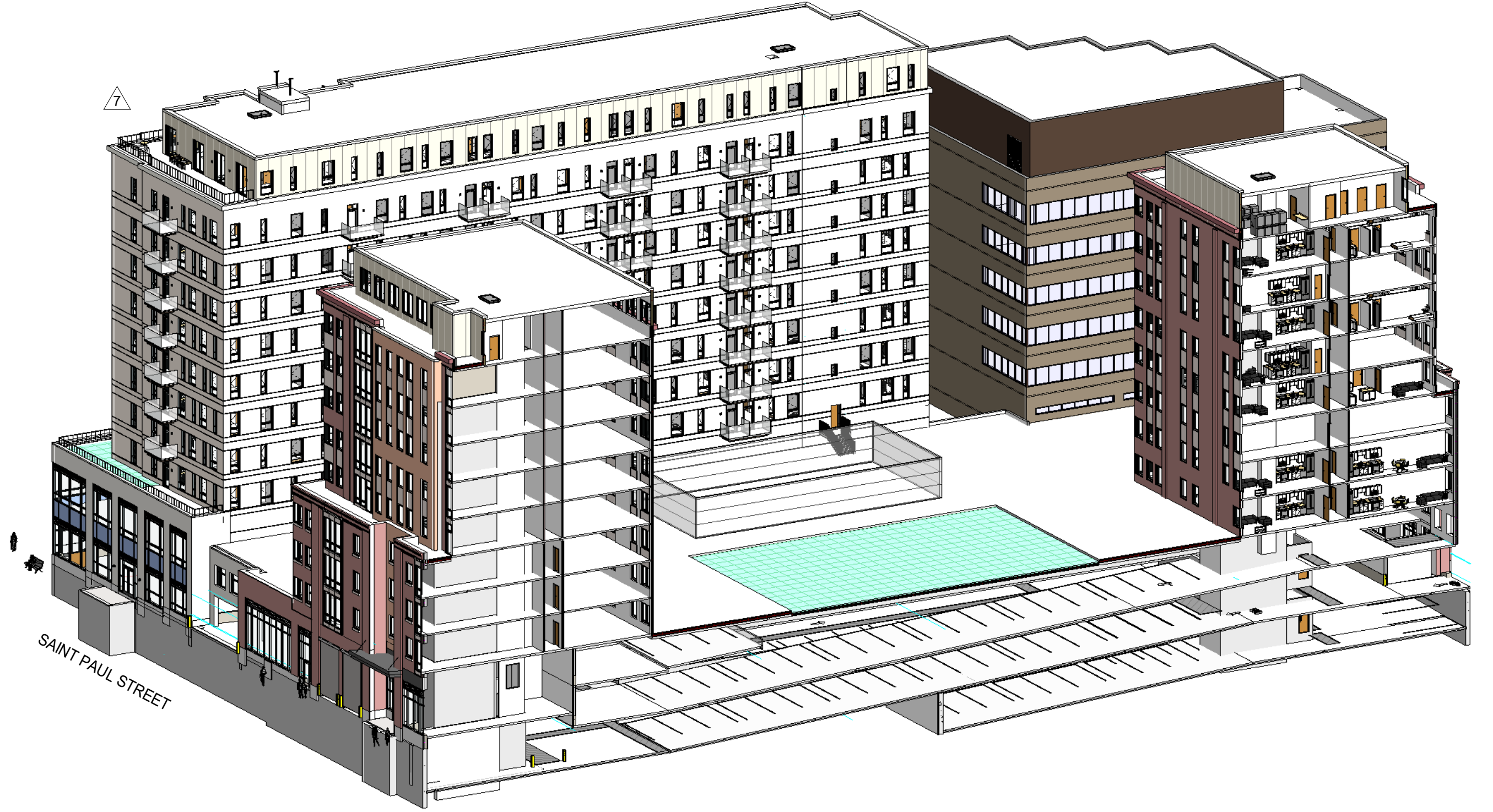
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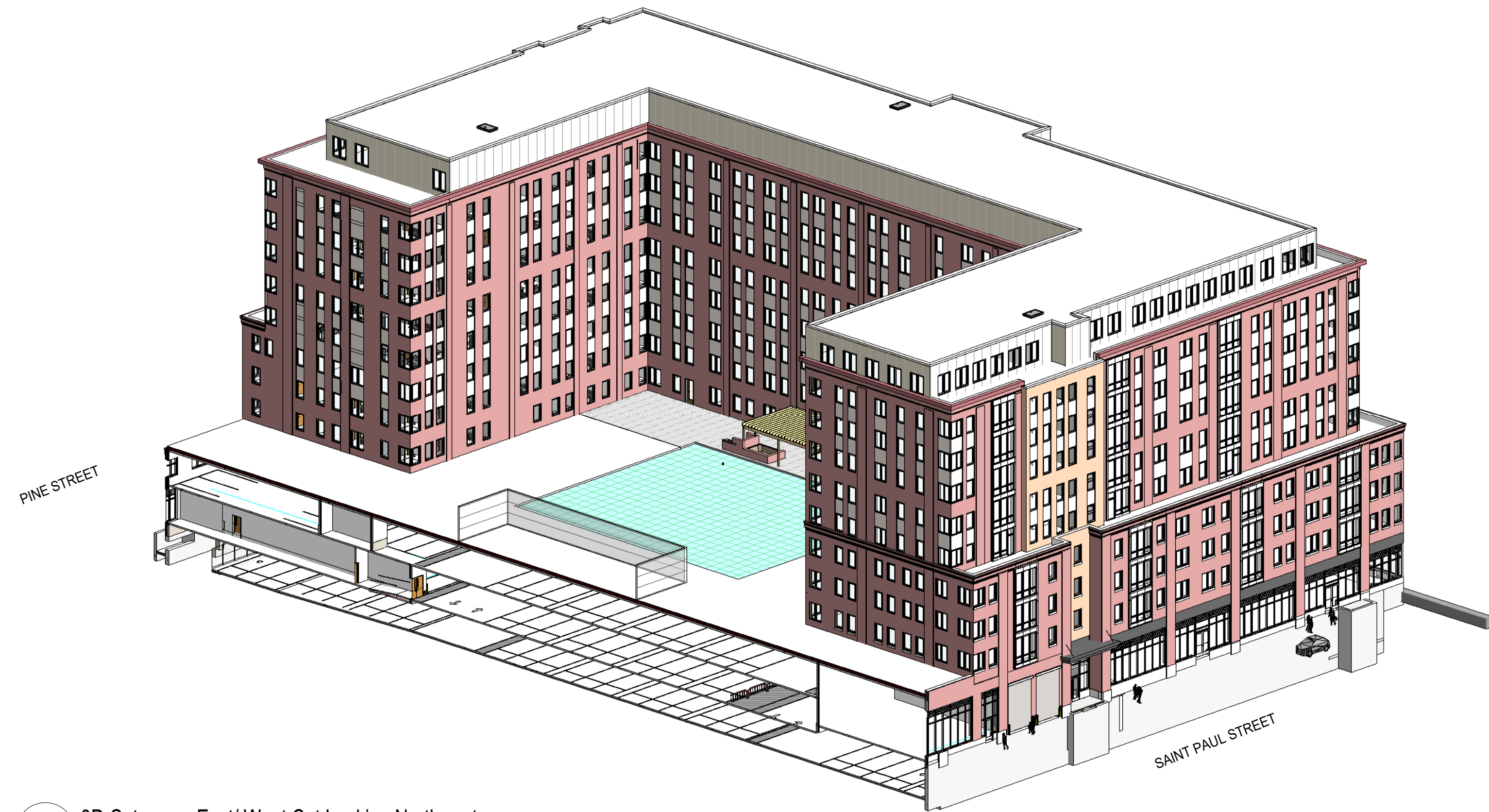
1 3D View Looking North-Northeast
A220 SCALE:



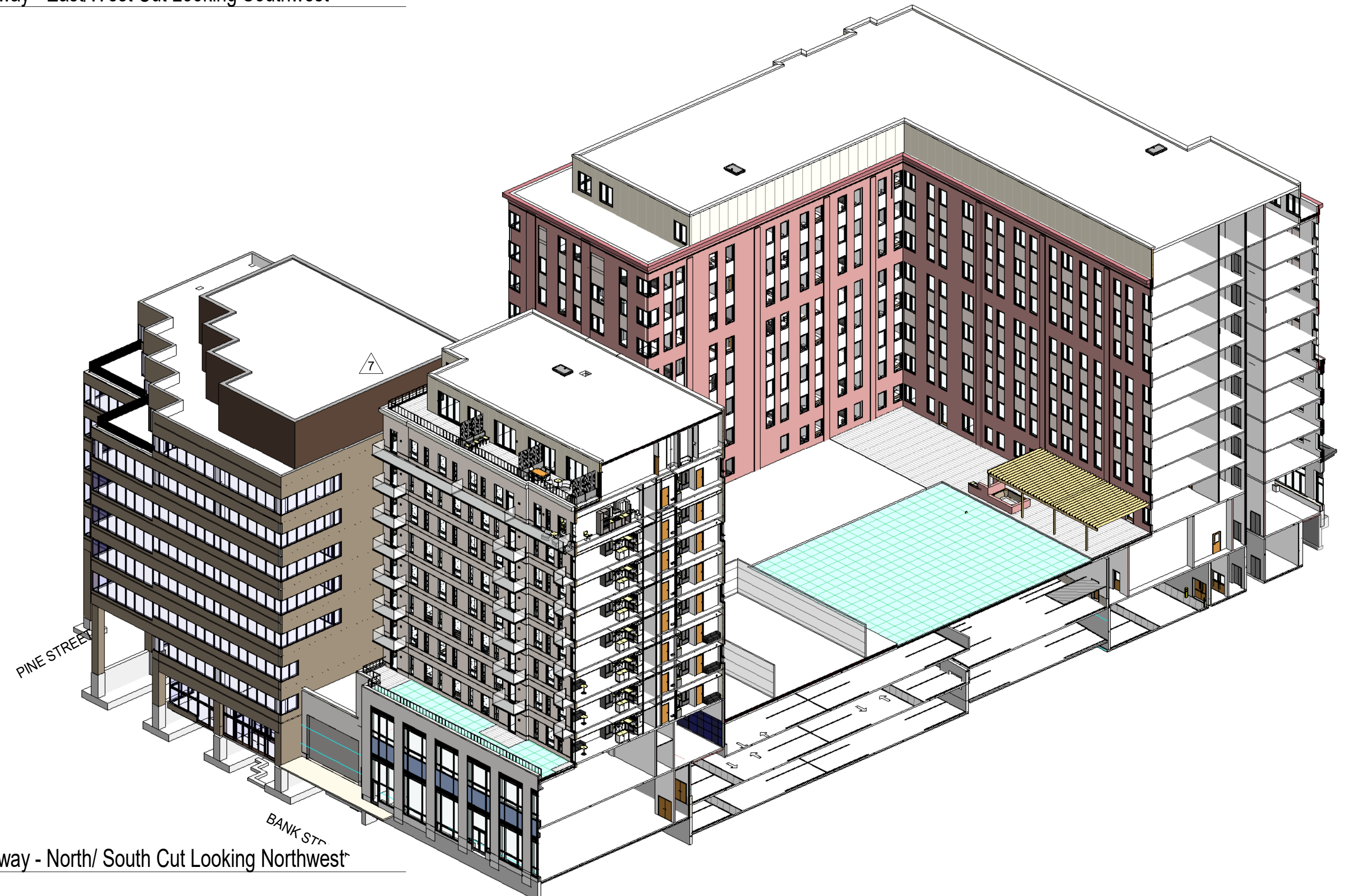
5 3D View Looking South-Southwest
A220 SCALE:



4 3D Cutaway - East/West Cut Looking Southwest
A220 SCALE:



3 3D Cutaway - East/ West Cut Looking Northwest
A220 SCALE:



2 3D Cutaway - North/ South Cut Looking Northwest
A220 SCALE:



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ORIGINATOR DATE:	01/15/2021	SCALE:	
DRAWN BY:	NE/JC/CL/JR	CHECKED BY:	JDR
DATE LOG:			
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Submission Clarifications	19 Nov 2020		
Rev. 2	15 Jan 2021		
Rev. 3	19 Feb 2021		
Rev. 4	12 Apr 2021		
Rev. 5	12 May 2023		

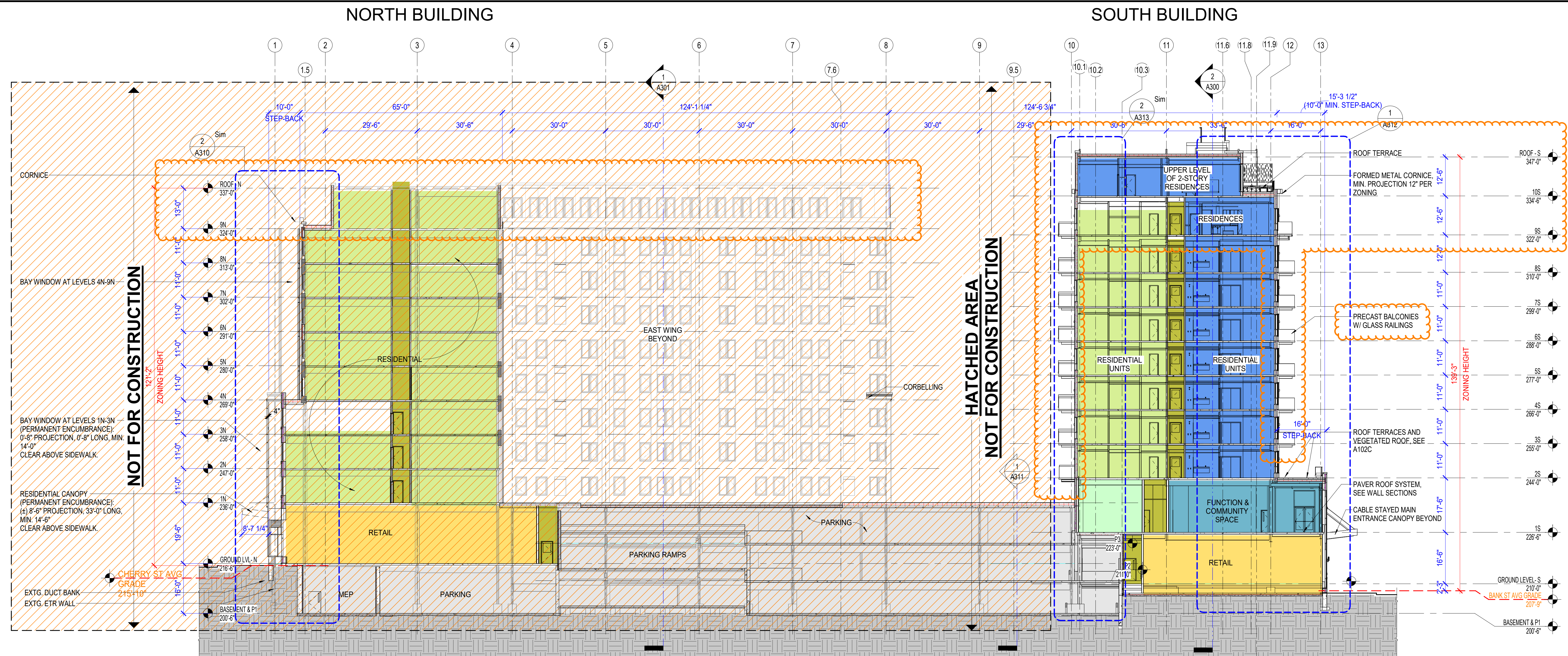
SHEET CONTENTS:

AXONOMETRIC 3D MASSING

SHEET NO:

A220

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1 NORTH-SOUTH SECTION LOOKING EAST
A300 SCALE: 1/16" = 1'-0"



2 EAST-WEST SECTION LOOKING NORTH
A300 SCALE: 1/16" = 1'-0"

ELEVATION & SECTION GENERAL NOTES

- QUANTITIES SHOWN ARE FOR ZONING COMPLIANCE AND GENERAL INFORMATION ONLY AND DO NOT INCLUDE WALL RETURNS, AREAS HIDDEN BY OTHER WALLS, ETC. CONTRACTOR IS RESPONSIBLE FOR THEIR OWN TAKE-OFFS BASED ON REVIEW OF THE COMPLETE SET OF DRAWINGS AND SPECIFICATIONS.
- BUILDING HEIGHTS MEASURED FROM AVERAGE GRADE AT FACE OF BUILDING/ SIDEWALK TO ROOF DECK ABOVE THE HIGHEST OCCUPIED LEVEL.



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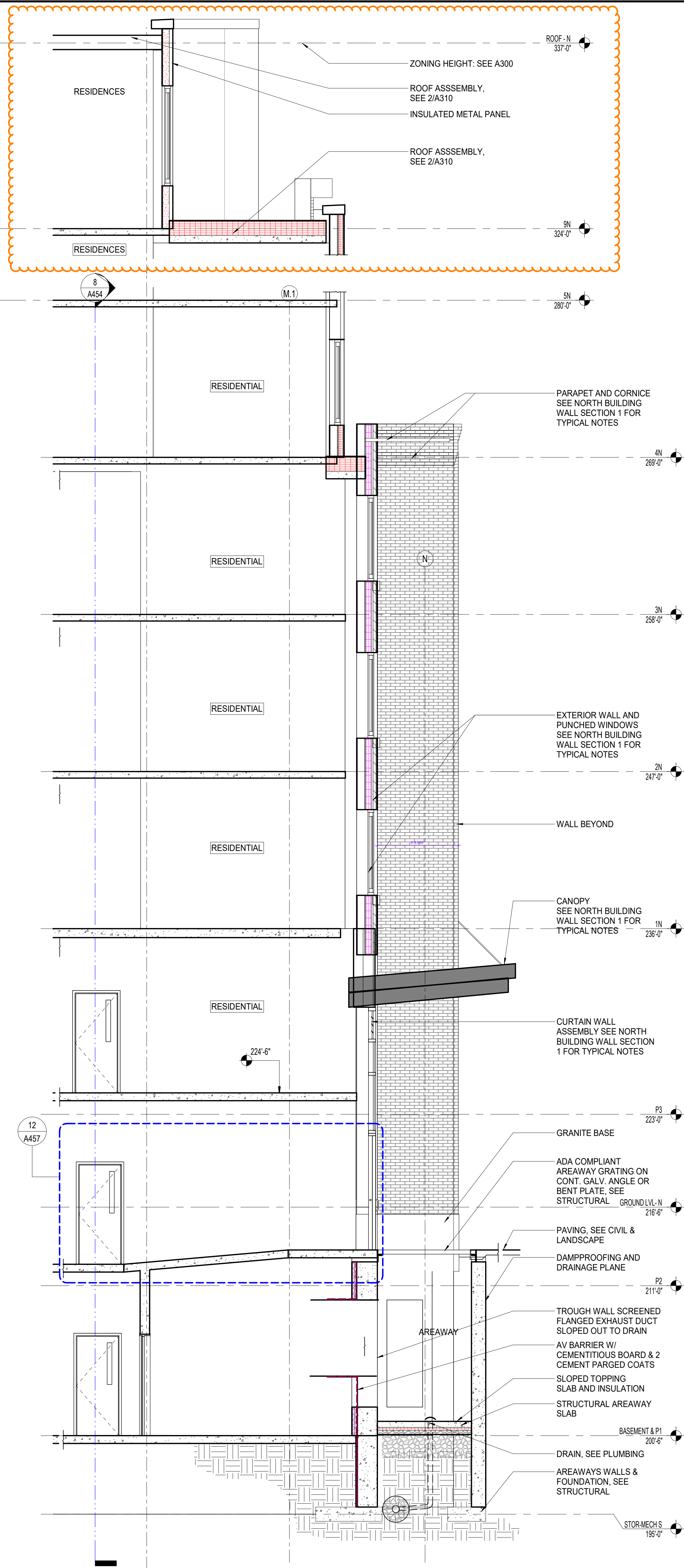
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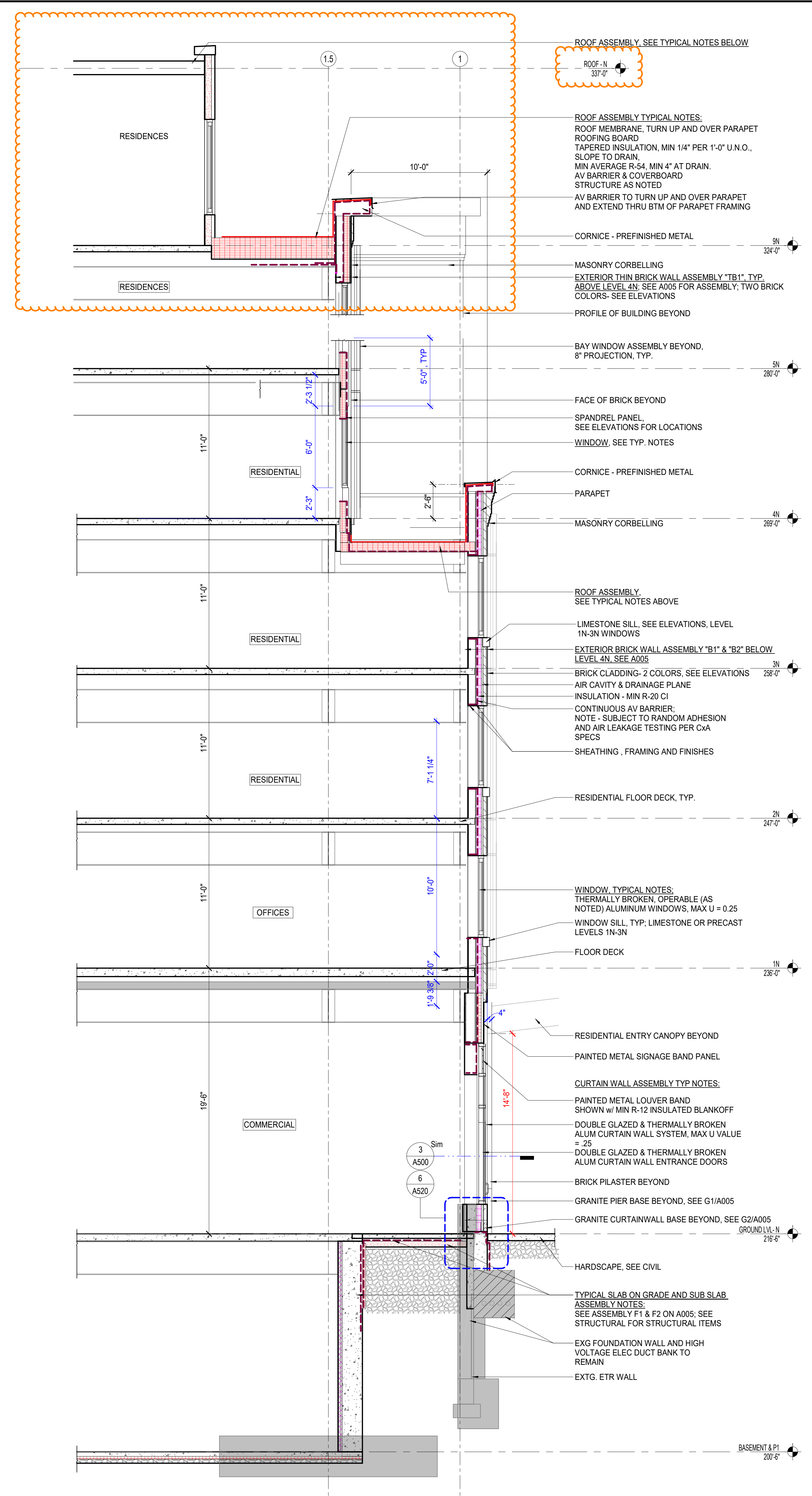
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CONSULTANT PROJ. #: 2253
ORIGINATOR DATE: 01/15/2021
SCALE: 1/16" = 1'-0"
DRAWN BY: NE/JDR/JC
CHECKED BY: JDR
ISSUE LOG:
Zoning Submission 15 Oct 2020
Submission Clarifications 9 Nov 2020
Rev. 2 15 Jan 2021
Rev. 3 19 Feb 2021
Rev. 4 12 Apr 2023
Rev. 5 12 May 2023

BUILDING
SECTIONS

SHEET NO: A300



1 NORTH BUILDING - WALL SECTION 2
A310 SCALE: 1/4" = 1'-0"



2 NORTH BUILDING - WALL SECTION 1
A310 SCALE: 1/4" = 1'-0"

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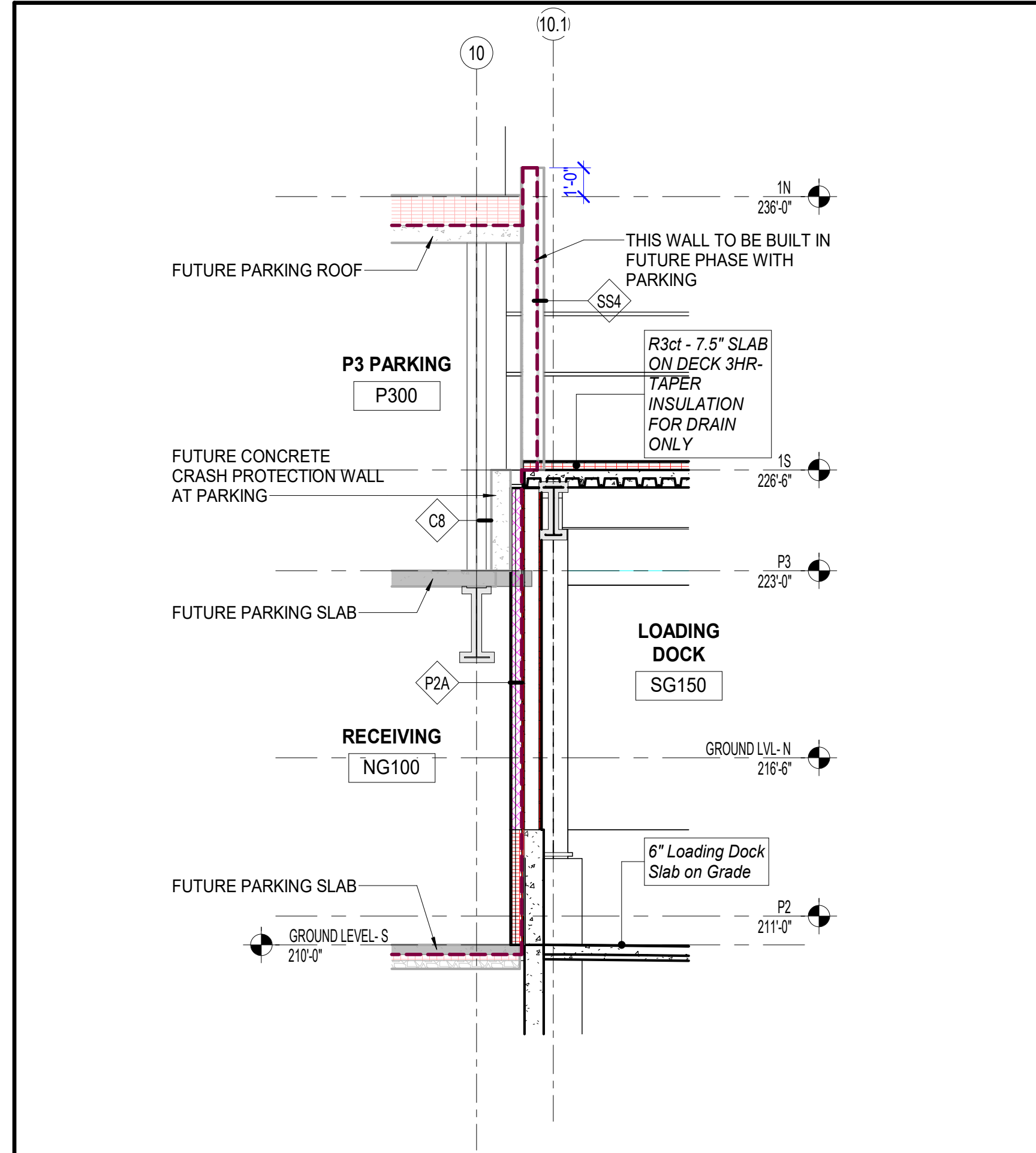
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FF PROJECT NO: **2253** CONSULTANT PROJ. #:
ORIGINATOR DATE: **01/15/2021** SCALE: **1/4" = 1'-0"**
DRAWN BY: **JR/NE** CHECKED BY: **JDR**

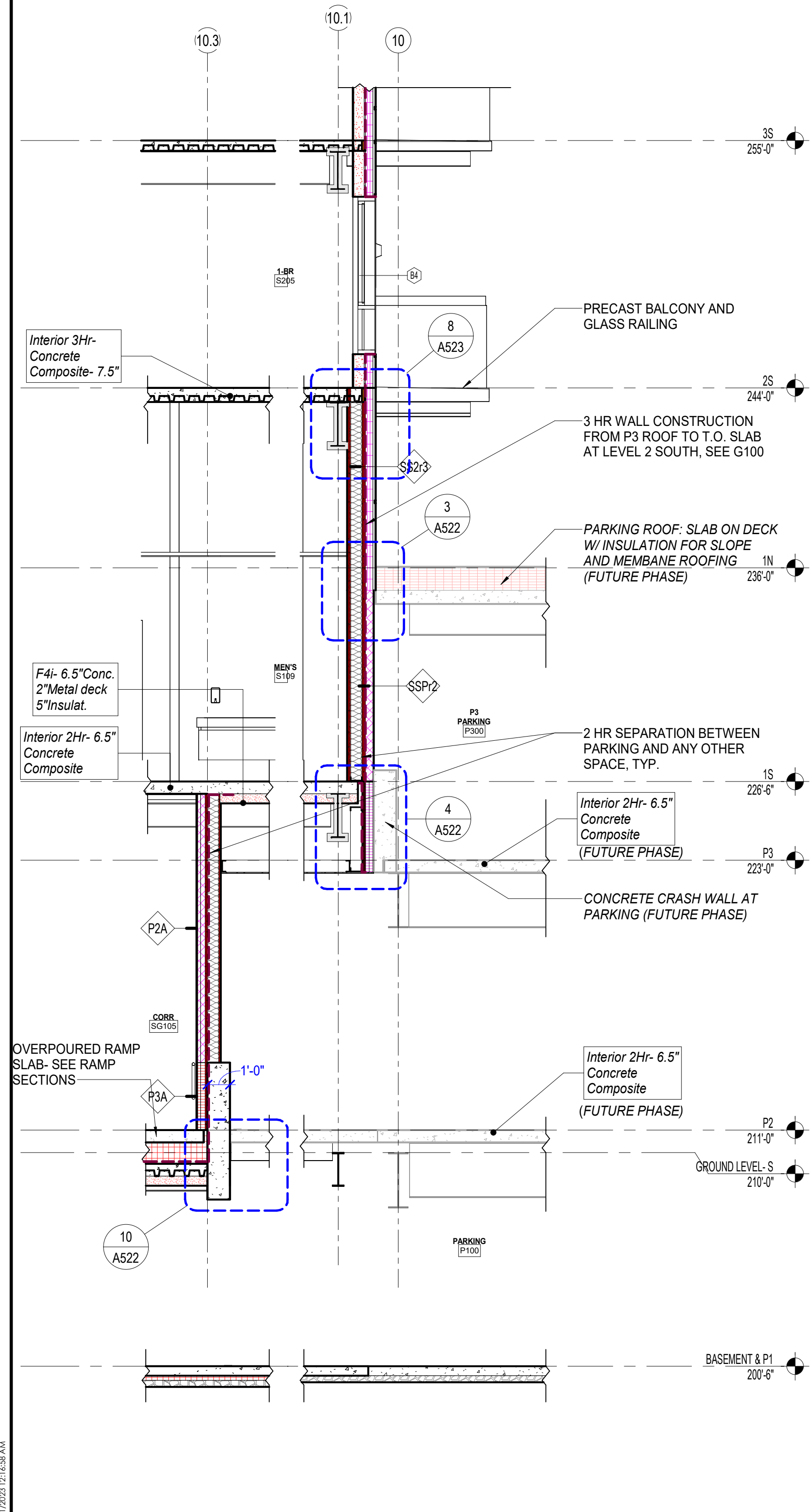
ISSUE LOG:
Zoning Submission 15 Oct 2020
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SHEET CONTENTS:
WALL SECTIONS - NORTH BLDG

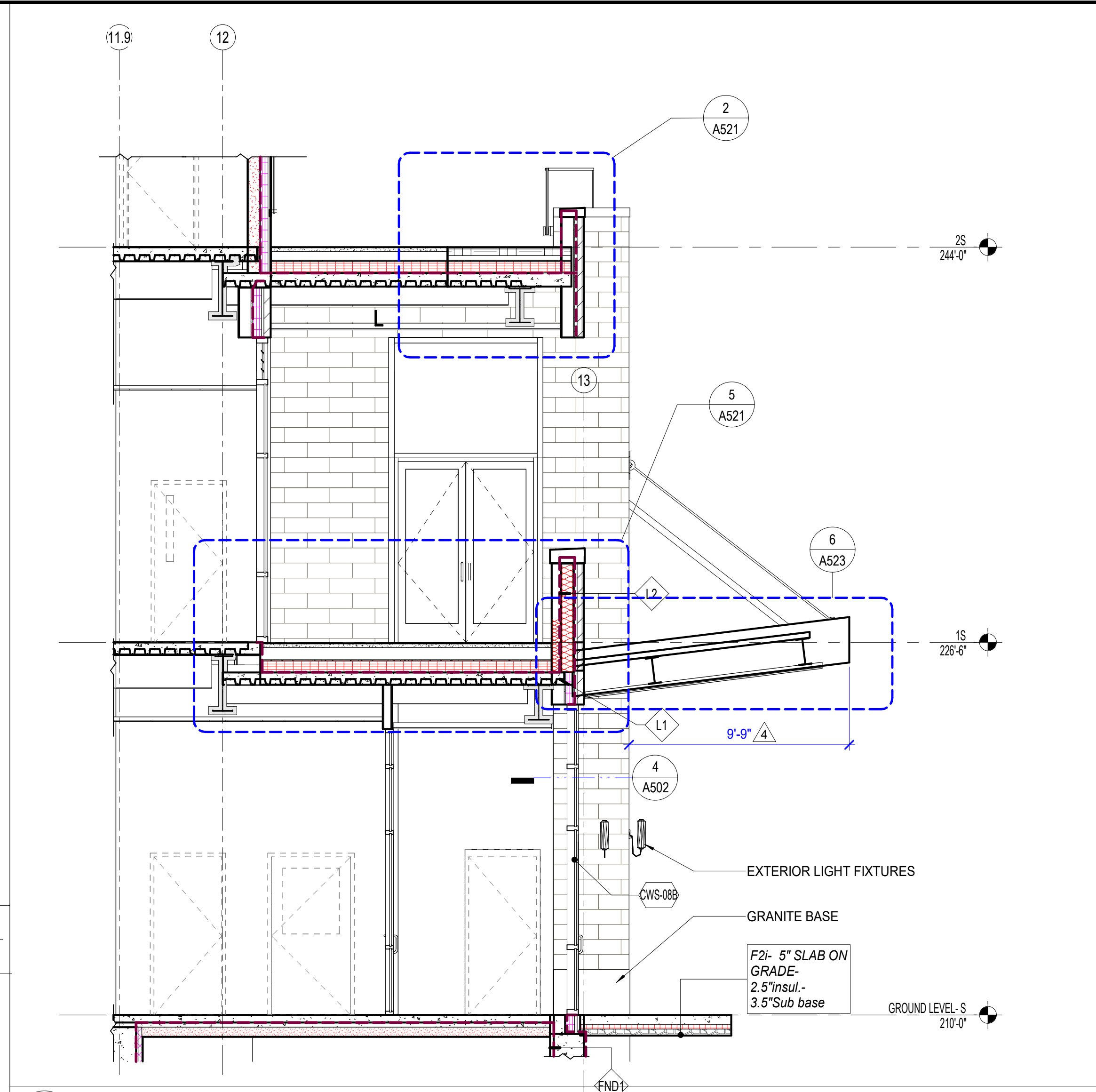
SHEET NO: **A310**
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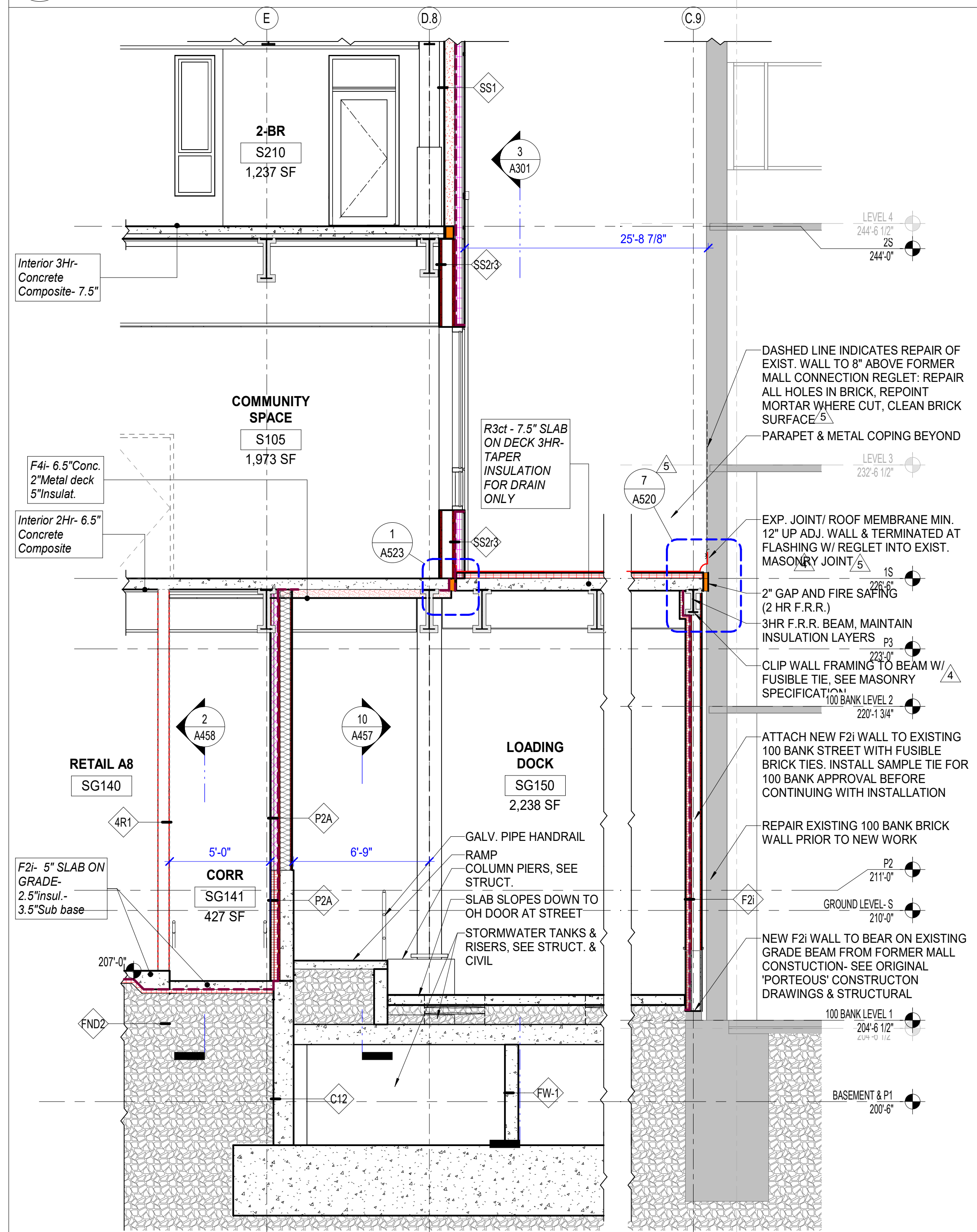
3 BANK ST LOADING DOCK NORTH WALL
A312 SCALE: 1/4" = 1'-0"



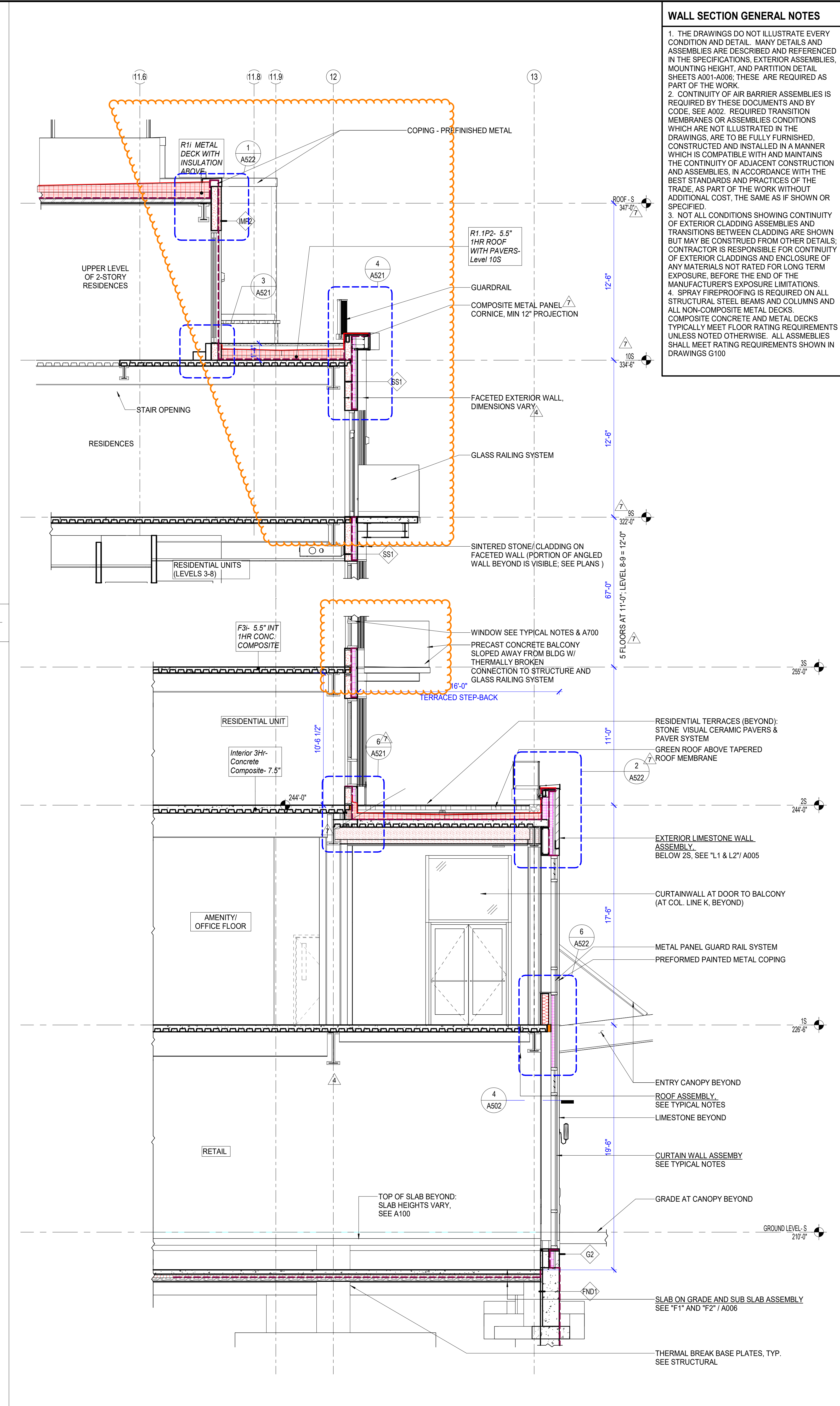
4 SOUTH BUILDING WALL SECTION NORTH WALL AT PARKING
A312 SCALE: 1/4" = 1'-0"



2 WALL SECTION AT ENTRANCE CANOPY
A312 SCALE: 1/4" = 1'-0"



5 SECTION- LOADING DOCK, WEST WALL OF S. BLDG, E. WALL OF EXISTING 100 BANK ST
A312 SCALE: 1/4" = 1'-0"



1 SOUTH TOWER- SECTION AT BALCONIES AND TERRACES
A312 SCALE: 1/4" = 1'-0"

WALL SECTION GENERAL NOTES

1. THE DRAWINGS DO NOT ILLUSTRATE EVERY CONDITION AND DETAIL. MANY DETAILS AND ASSEMBLIES ARE DESCRIBED AND REFERENCED IN THE SPECIFICATIONS, EXTERIOR ASSEMBLIES, MOUNTING HEIGHT, AND PARTITION DETAIL SHEETS A001-A006. THESE ARE REQUIRED AS PART OF THE WORK.
2. CONTINUITY OF AIR BARRIER ASSEMBLIES IS REQUIRED BY THESE DOCUMENTS AND BY CODE. SEE A002. REQUIRED TRANSITION MEMBRANES OR ASSEMBLIES CONDITIONS WHICH ARE NOT ILLUSTRATED IN THE DRAWINGS, ARE TO BE FULLY FURNISHED, CONSTRUCTED AND INSTALLED IN A MANNER WHICH IS COMPATIBLE WITH AND MAINTAINS THE CONTINUITY OF ADJACENT CONSTRUCTION AND ASSEMBLIES, IN ACCORDANCE WITH THE BEST STANDARDS AND PRACTICES OF THE TRADE, AS PART OF THE WORK WITHOUT ADDITIONAL COST, THE SAME AS IF SHOWN OR SPECIFIED.
3. NOT ALL CONDITIONS SHOWING CONTINUITY OF EXTERIOR CLADDING ASSEMBLIES AND TRANSITIONS BETWEEN CLADDING ARE SHOWN BUT MAY BE CONSTRUCTED FROM OTHER DETAILS. CONTRACTOR IS RESPONSIBLE FOR CONTINUITY OF EXTERIOR CLADDINGS AND ENCLOSURE OF ANY MATERIALS NOT RATED FOR LONG TERM EXPOSURE, BEFORE THE END OF THE MANUFACTURER'S EXPOSURE LIMITATIONS.
4. SPRAY FIREPROOFING IS REQUIRED ON ALL STRUCTURAL STEEL BEAMS AND COLUMNS AND ALL NON-COMPOSITE METAL DECKS, COMPOSITE CONCRETE AND METAL DECKS. TYPICALLY MEET FLOOR RATING REQUIREMENTS UNLESS NOTED OTHERWISE. ALL ASSEMBLIES SHALL MEET RATING REQUIREMENTS SHOWN IN DRAWINGS G100.

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FF PROJECT NO:

2253

ORIGINATOR DATE:

01/15/2021

SCALE:

1/4" = 1'-0"

DRAWN BY:

JR.NE.BS

CHECKED BY:

JDR

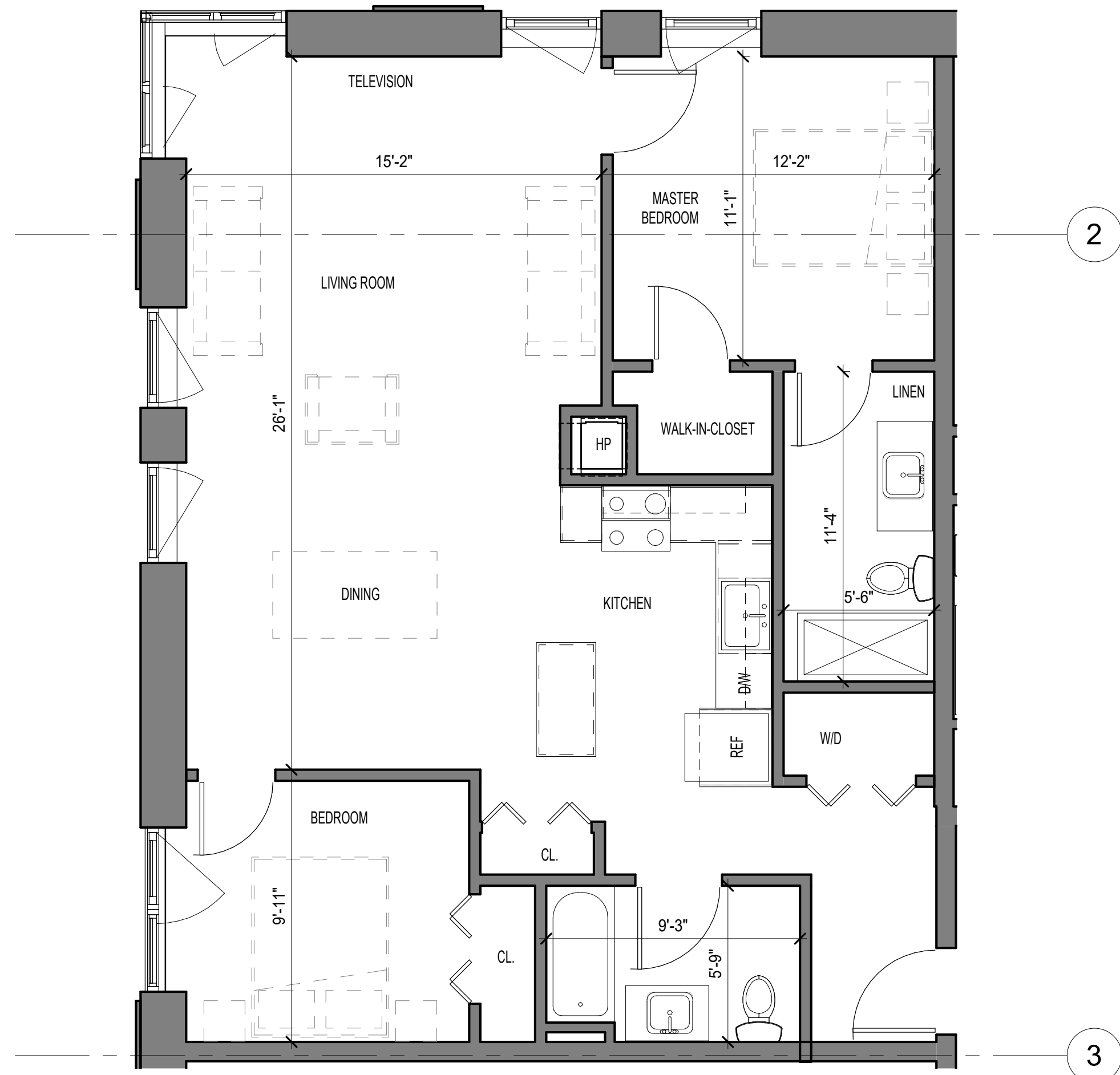
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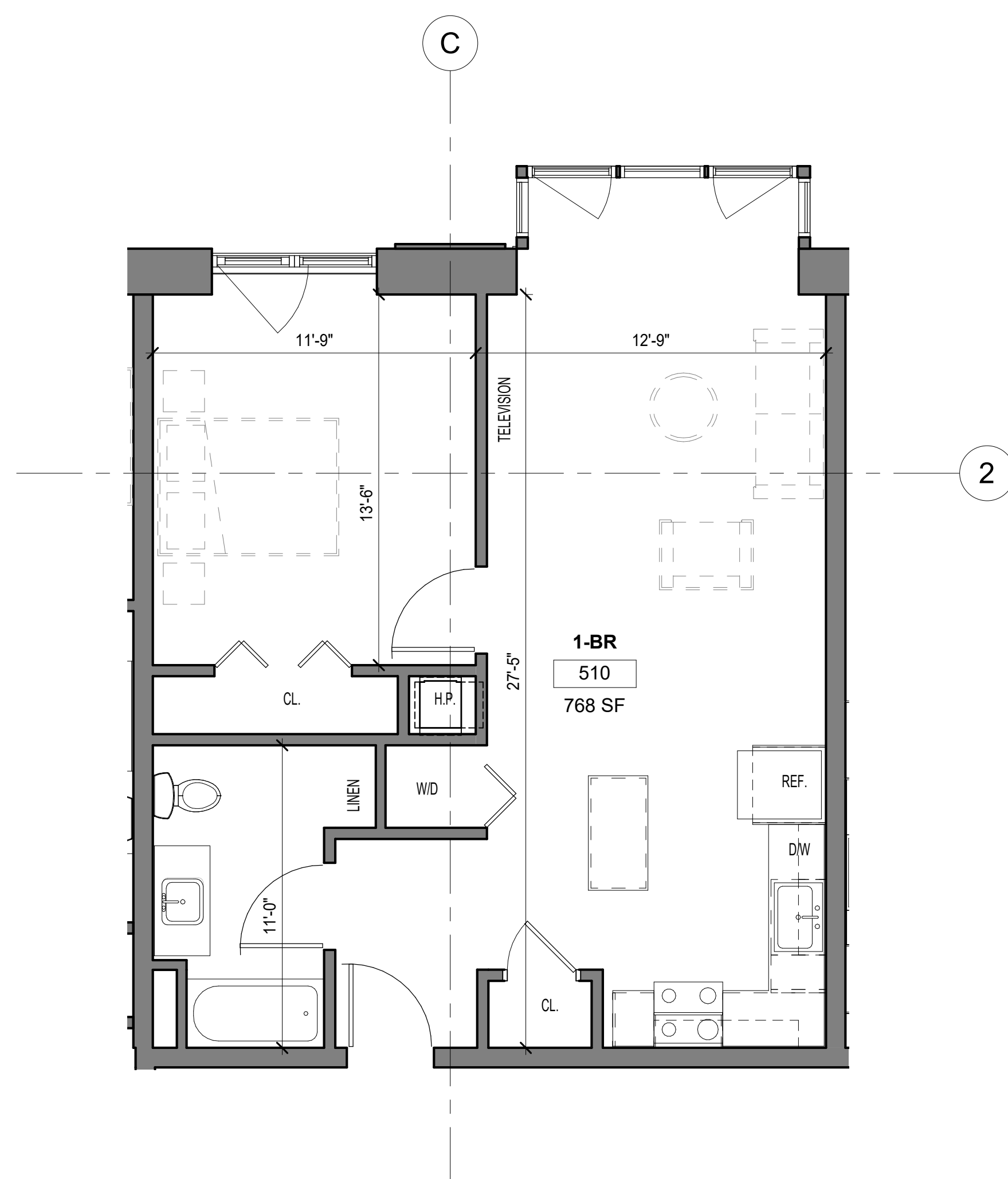
WALL SECTIONS - SOUTH BLDG

10/15/2020 1:19:44 PM

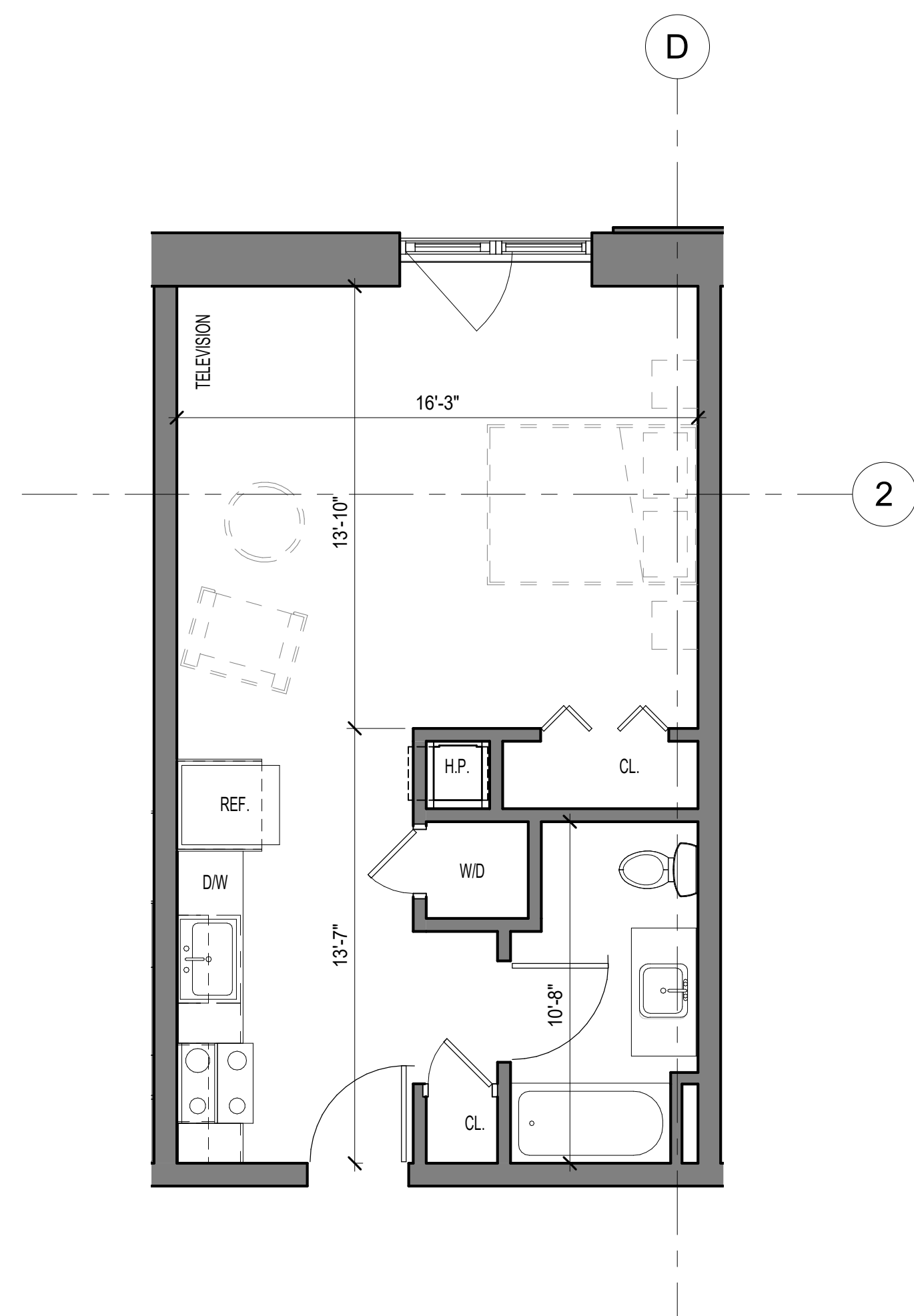
3 TYPICAL 2-BR
A410 SCALE: 1/4" = 1'-0"



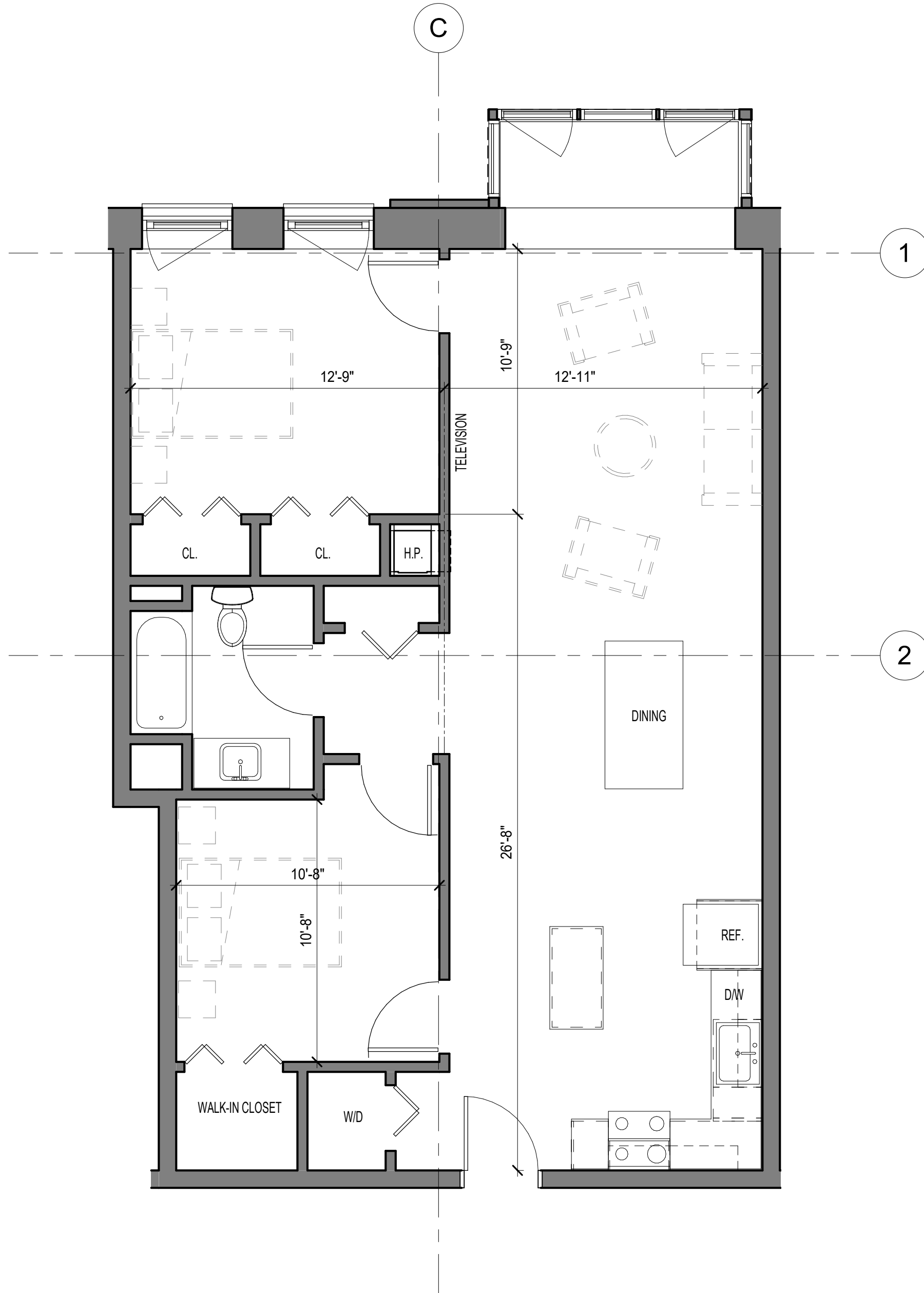
2 TYPICAL 1-BR
A410 SCALE: 1/4" = 1'-0"



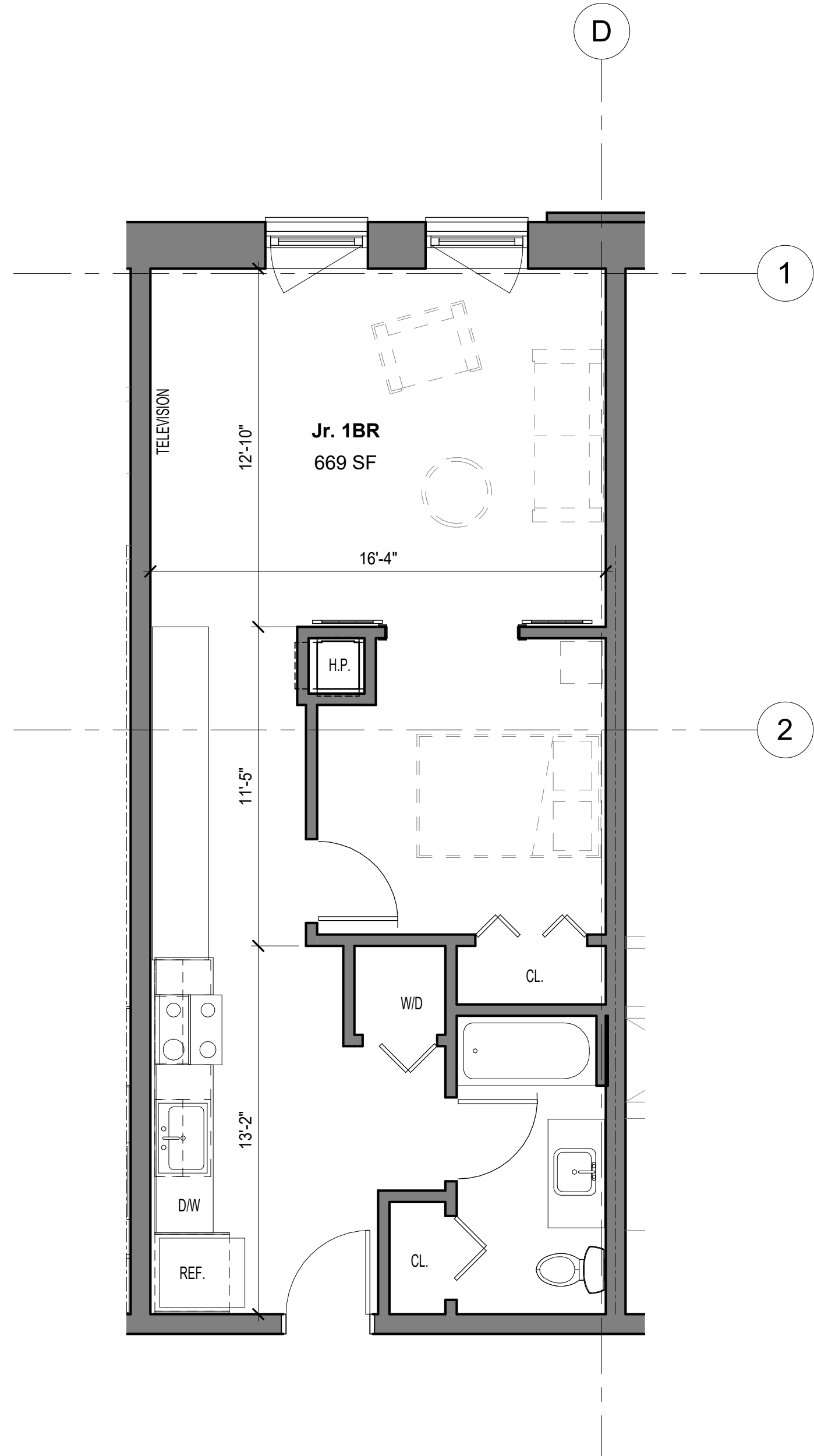
1 TYPICAL STUDIO
A410 SCALE: 1/4" = 1'-0"



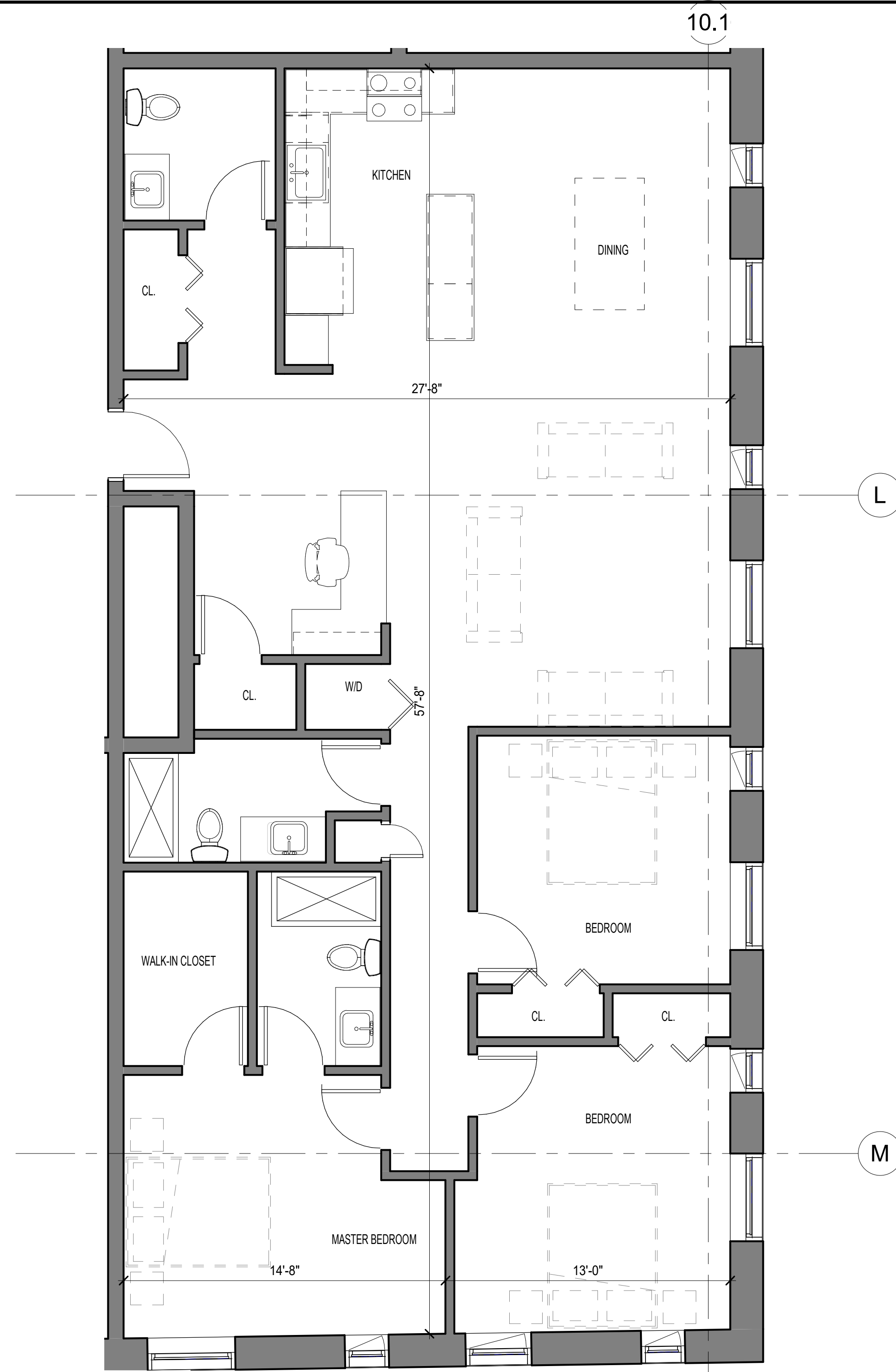
6 TYPICAL JR 2-BR
A410 SCALE: 1/4" = 1'-0"



5 TYPICAL JR 1-BR
A410 SCALE: 1/4" = 1'-0"



4 TYPICAL 3-BR
A410 SCALE: 1/4" = 1'-0"



A410

TYPICAL UNITS

SHEET CONTENTS

15 Oct 2020

Author

Checker

10/15/2020

1/4" = 1'-0"

10/15/2020

10/15/2020

10/15/2020

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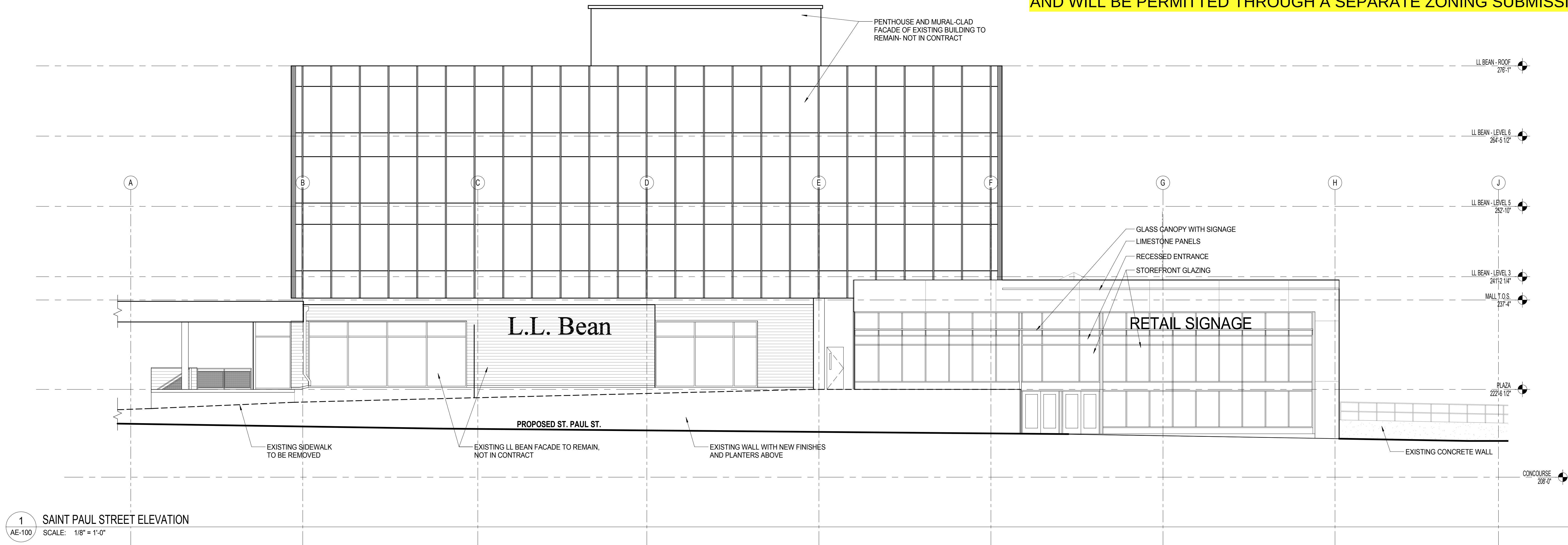
10/15/2020

10/15/2020

10/15/2020

10/15/2020

PRELIMINARY/ FOR REFERENCE ONLY. WORK SHOWN IS ON A SEPARATE PARCEL AND WILL BE PERMITTED THROUGH A SEPARATE ZONING SUBMISSION.



1 SAINT PAUL STREET ELEVATION
AE-100 SCALE: 1/8" = 1'-0"



1A SAINT PAUL STREET RENDERED ELEVATION SEE 1/AE-100 (ABOVE) FOR NOTES
AE-100 SCALE: NOT TO SCALE

- NOTE -
ANY MODIFICATION OR DEVIATIONS FROM THESE PLANS REQUIRE ZONING APPROVAL PRIOR TO CONSTRUCTION. ALL ERRORS IN DIMENSIONS, PLANS, OR DETAILING ARE FULLY THE RESPONSIBILITY OF THE APPLICANT/OWNER.

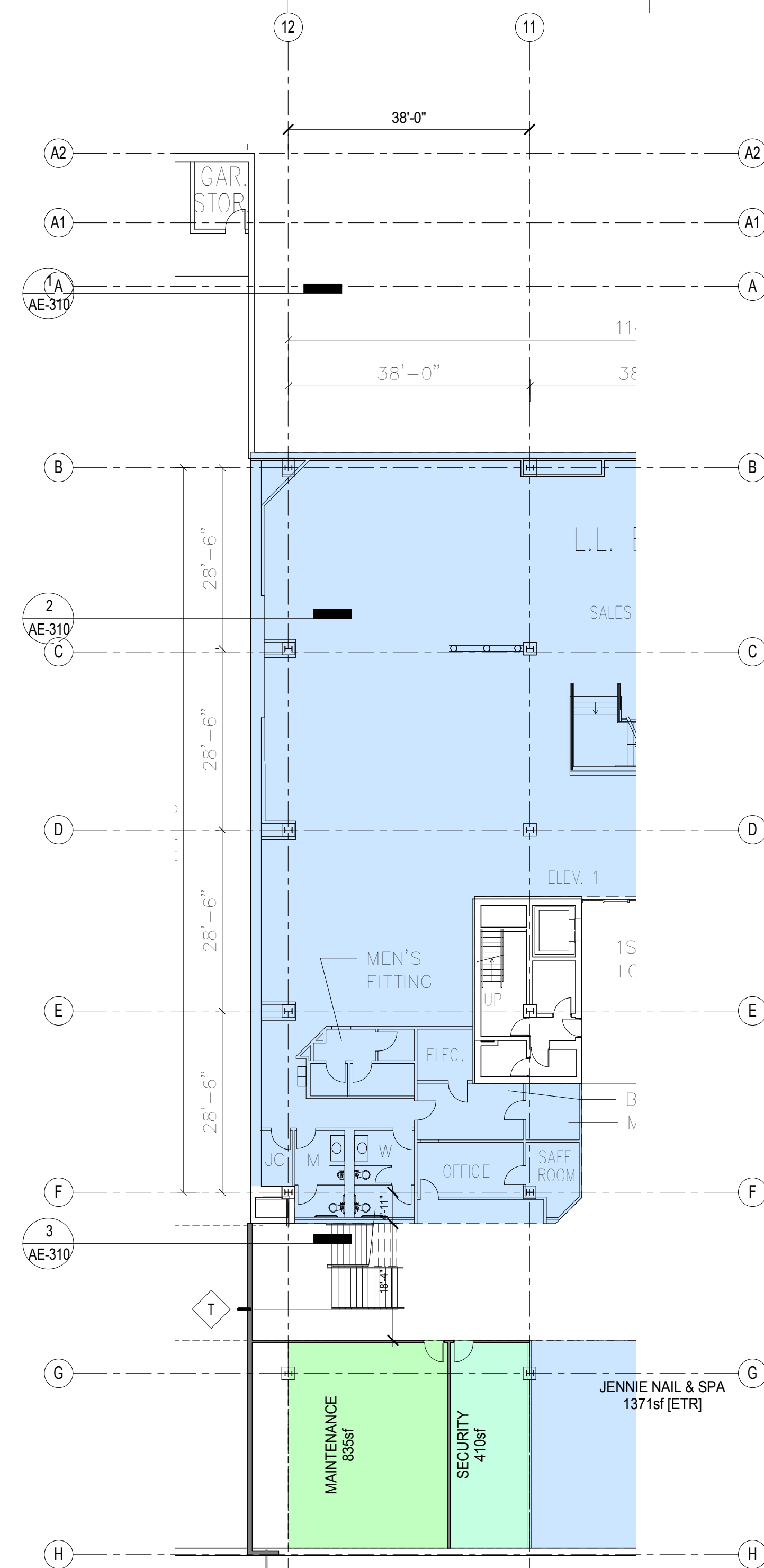
FINAL APPROVAL

SIGNED: *[Signature]* DATE: 3.8.2021
ZONING PERMIT # 21-0414CA/MA
REVIEWED BY: *[Signature]*
DEPARTMENT OF PERMITTING & INSPECTIONS
BURLINGTON VERMONT

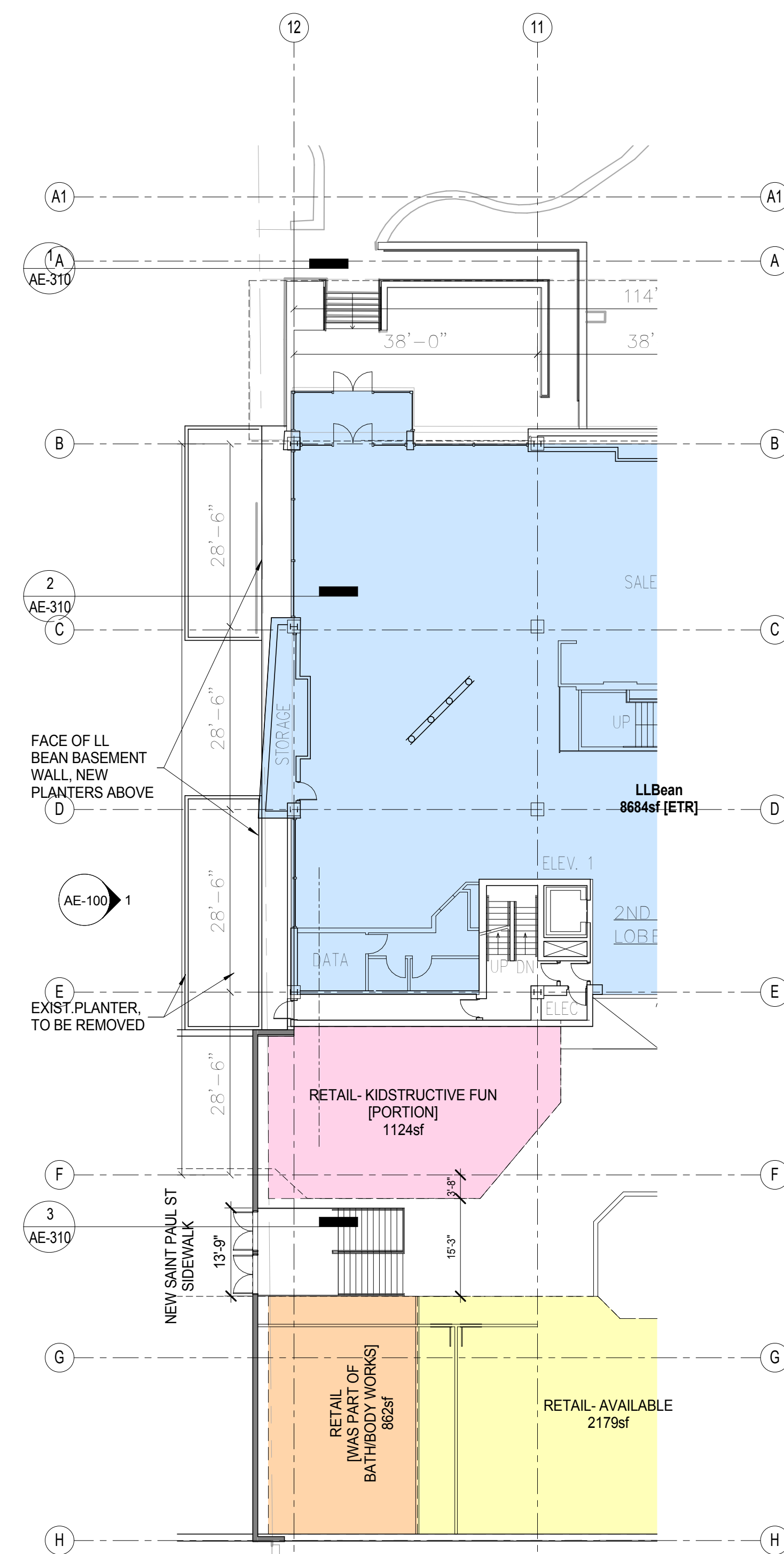
Subject to conditions imposed by the DRB.



2 SAINT PAUL STREET ELEVATION- 3D VIEW
AE-100 SCALE: NOT TO SCALE



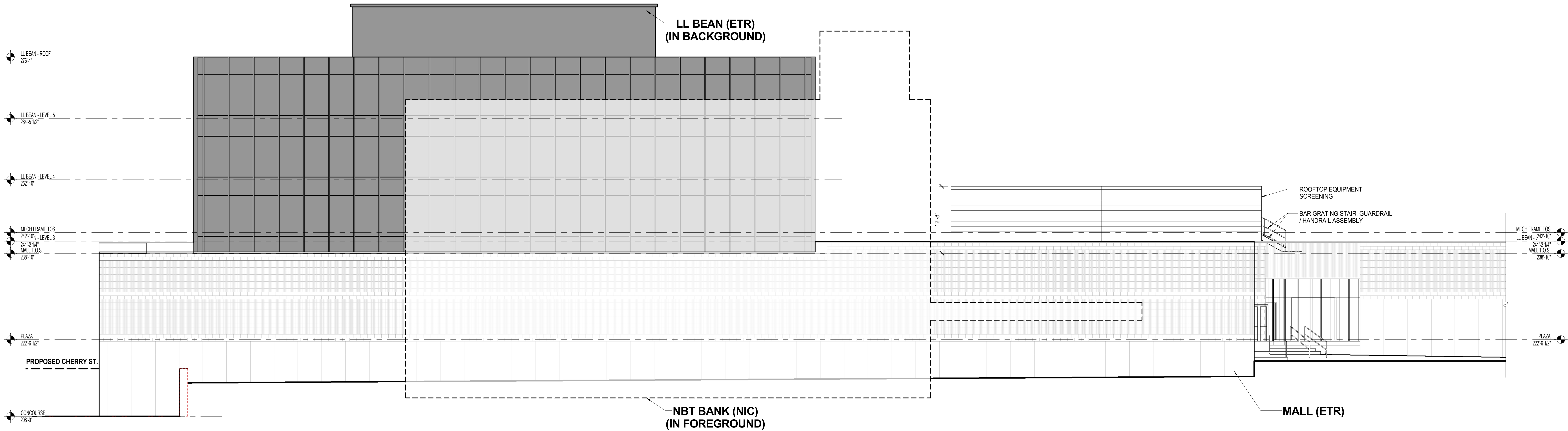
3 PARTIAL FLOOR PLAN AT MALL CONCOURSE (LOWER) LEVEL
AE-100 SCALE: 1/16" = 1'-0"



4 PARTIAL FLOOR PLAN AT MALL PLAZA (UPPER) LEVEL
AE-100 SCALE: 1/16" = 1'-0"

4/4/2017 5:20:07 PM

PRELIMINARY/ FOR REFERENCE ONLY. WORK SHOWN IS ON A SEPARATE PARCEL AND WILL BE PERMITTED THROUGH A SEPARATE ZONING SUBMISSION.



1 ENABLING EXTERIOR ELEVATION - SOUTH (Column line 12-7)
SCALE: 1/8" = 1'-0"



2 EQUIPMENT SCREEN SAMPLE PHOTOGRAPH
NOT TO SCALE

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BURLINGTON TOWN CENTER REDEVELOPMENT:
ENABLING ROOFTOP EQUIPMENT

Burlington Town
Center,
Devonwood Investors,
LLC

49 Church Street
Burlington, VT
05401

PROJECT NO: A1636.03	
COORDINATION DATE: 02/03/17	SCALE: 1/8" = 1'-0"
DRAWN BY: BW/SP	CHECKED BY: BW
DATE LOG: 03/27/2017	DEMOLITION PACKAGE ISSUED FOR PERMIT
03/28/2017	DEMOLITION AND ENABLING PACKAGE ISSUED FOR BID
06/22/2017	ISSUED FOR BID

ENABLING
EXTERIOR
ELEVATION - SOUTH

SHEET NO: AE-201

ENABLING SCOPE
BASIS OF DESIGN DRAWING

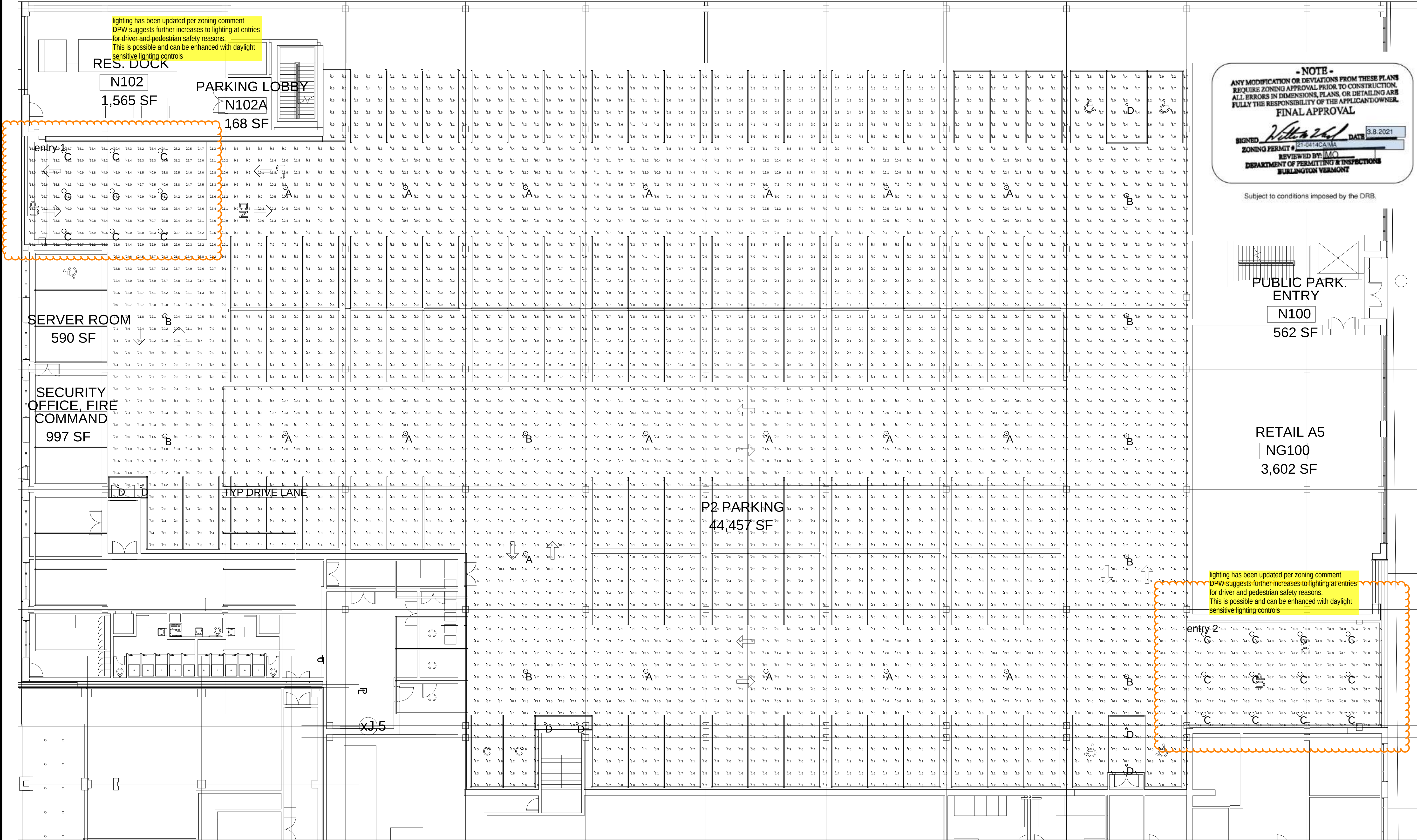
Calculation Summary					
Room Name	Avg	Max	Min	Avg/Min	Max/Min
LEVEL 2_Floor	7.35	50.8	0.4	N.A.	N.A.
entry 1	35.64	47.9	14.7	2.42	3.26
entry 2	40.12	50.8	17.9	2.24	2.84
TYP DRIVE LANE	6.70	13.3	3.8	1.76	3.50

Room Summary	
Room Name	Wall Ht.
LEVEL 2	11

Luminaire Schedule (note fixture catalogue numbers are not complete)					
Tag	Symbol	Qty	Lum. Lumens	LLF	Lum. Watts
A	⊙	18	8714	0.900	71.2
B	⊙	9	8634	0.900	71.2
C	⊙	21	9064	1.040	87.2
D	⊙	7	3769	0.900	34.6

- NOTES:
- 1) EXACT MOUNTING DETAILS TO BE DETERMINED AT JOBSITE BY OTHERS.
 - 2) CALCULATIONS MAY OR MAY NOT SHOW THE EFFECT OF SHADOWING CAUSED BY BUILDINGS AND OBJECTS WITHIN THE CALCULATED SPACE.
 - 3) READINGS SHOWN ARE INITIAL HORIZONTAL FOOTCANDLES TAKEN AS SHOWN IN CALCULATION SUMMARY UNLESS OTHERWISE INDICATED.
 - 4) THIS CALCULATION IS BASED ON LIMITED INFORMATION SUPPLIED BY OTHERS TO SWANEY LIGHTING ASSOCIATES AND STANDARD ASSUMPTIONS OF THE SPACE.
 - 5) CONFORMANCE TO CODES AND OTHER LOCAL REQUIREMENTS AS DETERMINED BY THE AHJ ARE THE RESPONSIBILITY OF THE OWNER AND/OR THE OWNER'S REPRESENTATIVE.
 - 6) THIS LAYOUT DRAWING MUST BE COORDINATED WITH THE SITE LOCATION FOR CORRECT FUTURE ORIENTATION.
 - 7) DOCUMENTS PRINTED OR PLOTTED FROM ELECTRONIC FILES MAY APPEAR AT OTHER THAN THE DESIRED OR ASSUMED GRAPHIC SCALES. IT IS THE RESPONSIBILITY OF THE RECIPIENT TO VERIFY THAT THE PRINTED OR PLOTTED-TO-SCALE DRAWING IS PRINTED TO SCALE.

REDUCED LIGHT LEVELS AT GARAGE ENTRY/EXITS TO MEET CITY REQUIREMENTS.



- NOTE -
ANY MODIFICATION OR DEVIATIONS FROM THESE PLANS REQUIRE ZONING APPROVAL PRIOR TO CONSTRUCTION. ALL ERRORS IN DIMENSIONS, PLANS, OR DETAILING ARE FULLY THE RESPONSIBILITY OF THE APPLICANT/OWNER.

FINAL APPROVAL

SIGNED: *[Signature]* DATE: 3.8.2021
ZONING PERMIT # 21-0414CAMA
REVIEWED BY: JMO
DEPARTMENT OF PERMITTING & INSPECTIONS
BURLINGTON VERMONT

Subject to conditions imposed by the DRB.

Calculation Summary					
Room Name	Avg	Max	Min	Avg/Min	Max/Min
LEVEL 3 Floor	5.00	14.4	0.4	N.A.	N.A.
TYP DRIVE LANE	6.78	13.0	3.7	1.83	3.51

Room Summary	
Room Name	Wall Ht.
LEVEL 3	11

Luminaire Schedule (note fixture catalogue numbers are not complete)					
Tag	Symbol	Qty	Lum. Lumens	LLF	Lum. Watts
A	⊙	19	8714	0.900	71.2
B	⊙	10	8634	0.900	71.2
D	⊙	11	3769	0.900	34.6

- NOTES:
- 1) EXACT MOUNTING DETAILS TO BE DETERMINED AT JOBSITE BY OTHERS.
 - 2) CALCULATIONS MAY OR MAY NOT SHOW THE EFFECT OF SHADOWING CAUSED BY BUILDINGS AND OBJECTS WITHIN THE CALCULATED SPACE.
 - 3) READINGS SHOWN ARE INITIAL HORIZONTAL FOOTCANDLES TAKEN AS SHOWN IN CALCULATION SUMMARY UNLESS OTHERWISE INDICATED.
 - 4) THIS CALCULATION IS BASED ON LIMITED INFORMATION SUPPLIED BY OTHERS TO SWANEY LIGHTING ASSOCIATES AND STANDARD ASSUMPTIONS OF THE SPACE.
 - 5) CONFORMANCE TO CODES AND OTHER LOCAL REQUIREMENTS AS DETERMINED BY THE AHJ ARE THE RESPONSIBILITY OF THE OWNER AND/OR THE OWNER'S REPRESENTATIVE.
 - 6) THIS LAYOUT DRAWING MUST BE COORDINATED WITH THE SITE LOCATION FOR CORRECT FIXTURE ORIE.
 - 7) DOCUMENTS PRINTED ON THE DESIRED OR ASSUM TO VERIFY THAT THE PR

- NOTE -

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FINAL APPROVAL

SIGNED 

DATE 3-8-2021

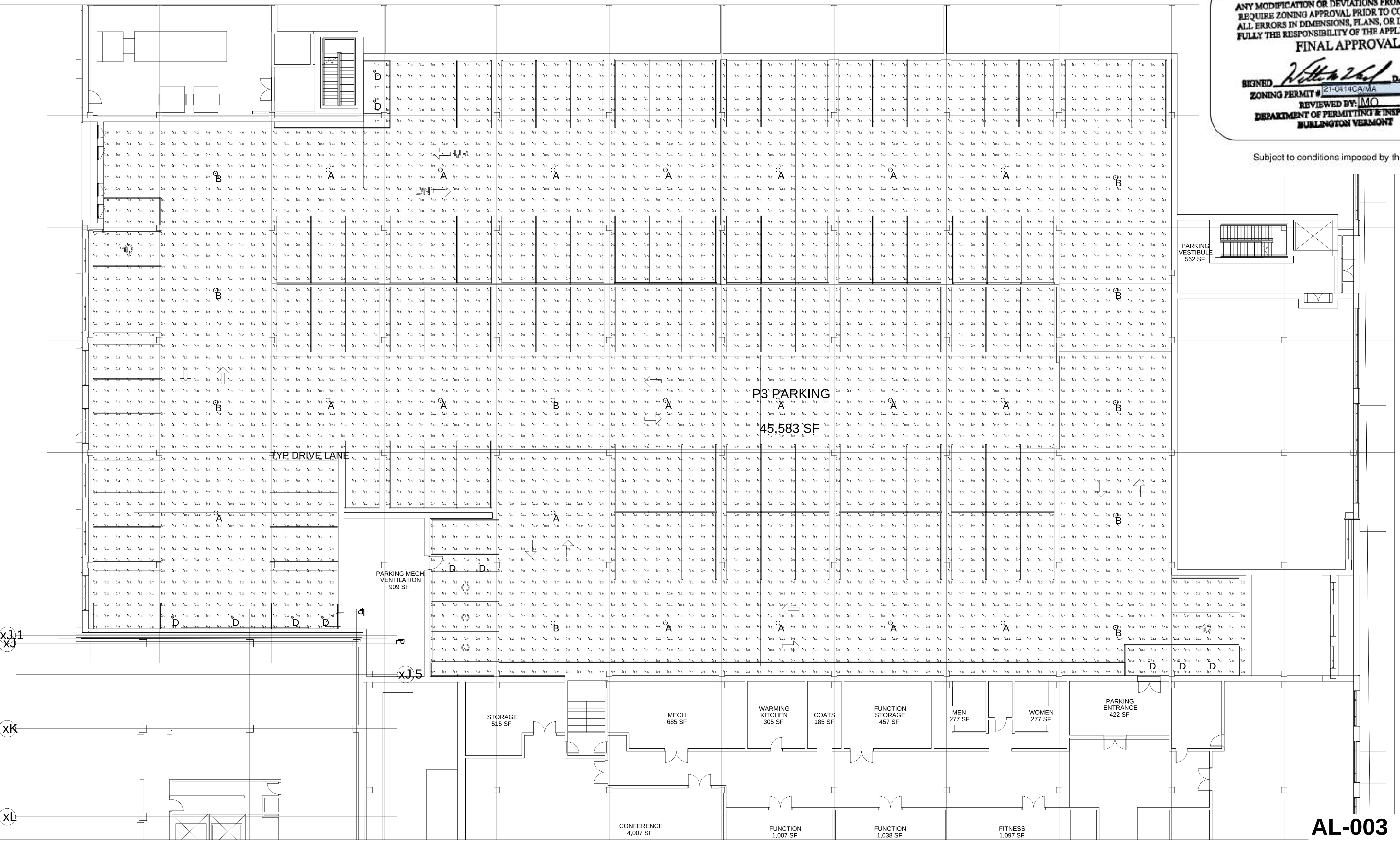
ZONING PERMIT # 21-0414CA/MA

REVIEWED BY: 

DEPARTMENT OF PERMITTING & INSPECTIONS

BURLINGTON VERMONT

Subject to conditions imposed by the DRB.



TITLE

BURLINGTON CENTER GARAGE

BURLINGTON, VT

LEVEL 3 - LIGHTING LAYOUT

GENERATED FOR:

FREEMAN, FRENCH

FREEMAN

SCALE AS SHOWN

Date: 1/30/2020

Page 1 of 1



SWANEY LIGHTING ASSOCIATES, INC.

NOTICE: THIS DRAWING IS THE EXCLUSIVE PROPERTY OF SWANEY LIGHTING ASSOCIATES. IT IS TO BE USED ONLY FOR THE PROJECT AND SITE SPECIFICALLY IDENTIFIED HEREIN. NO PART OF THIS DRAWING IS TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF SWANEY LIGHTING ASSOCIATES. THE DRAWING IS TO BE USED FOR NO PURPOSE OTHER THAN AS INTENDED. EXCEPT AS EXPRESSLY AUTHORIZED BY SWANEY LIGHTING ASSOCIATES, ANY REPRODUCTION OR TRANSMISSION OF THIS DRAWING WITHOUT THE WRITTEN PERMISSION OF SWANEY LIGHTING ASSOCIATES IS PROHIBITED. THE USER OF THIS DRAWING SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES. THE USER OF THIS DRAWING SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES. THE USER OF THIS DRAWING SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES.



CityPlace Burlington- Height Updates Zoning Application Summary, April 12, 2023

This amends our application originally submitted on October 15, 2020 and is the fourth update; the first three updates were completed prior to DRB and administrative approval.

The amended application is limited to the drawings and checklists that highlight the primary changes, which include:

- Replacement of the Level 9 restaurant and Level 10 mechanical penthouse at the South Building with two levels of housing. These changes are to address market realities: there is no demand for new restaurant space, while the demand for housing remains high. Each of these levels is also larger than in the previous submission.
- The addition of balconies to the South Building. The projecting balconies will be constructed of precast concrete and supported on “colorgalv” black painted steel beams; the undersides of the balconies will match the sintered stone cladding of the upper portion of the building, which is constructed of sintered stone panels. Sintered stone is a manufactured stone and this material will be a custom match to the natural limestone used on the “podium” (the lower two levels of the building)
- The replacement of Level 9 mechanical penthouses on the North Building with additional residential space. In addition to changing this to an occupied floor, the footprint of Level 9 is proposed to grow.
- This application is required because height is measured to the roof deck of the highest occupied level; as illustrated, this “zoning height” has increased, but the actual highest roof will be lower than in the previous approval.
-
- The project will now include a total of about 400 residential units: 85 in the West Wing of the North Building, to be managed by Champlain Housing Trust; 116 in the South Building, to be market rate residences for sale or purchase; and the balance in the North and East wings of the North Building. The

project will use the recently adopted inclusionary ordinance change provisions under 9.1.14b (percentage of gross square footage of residential units) as our compliance path.

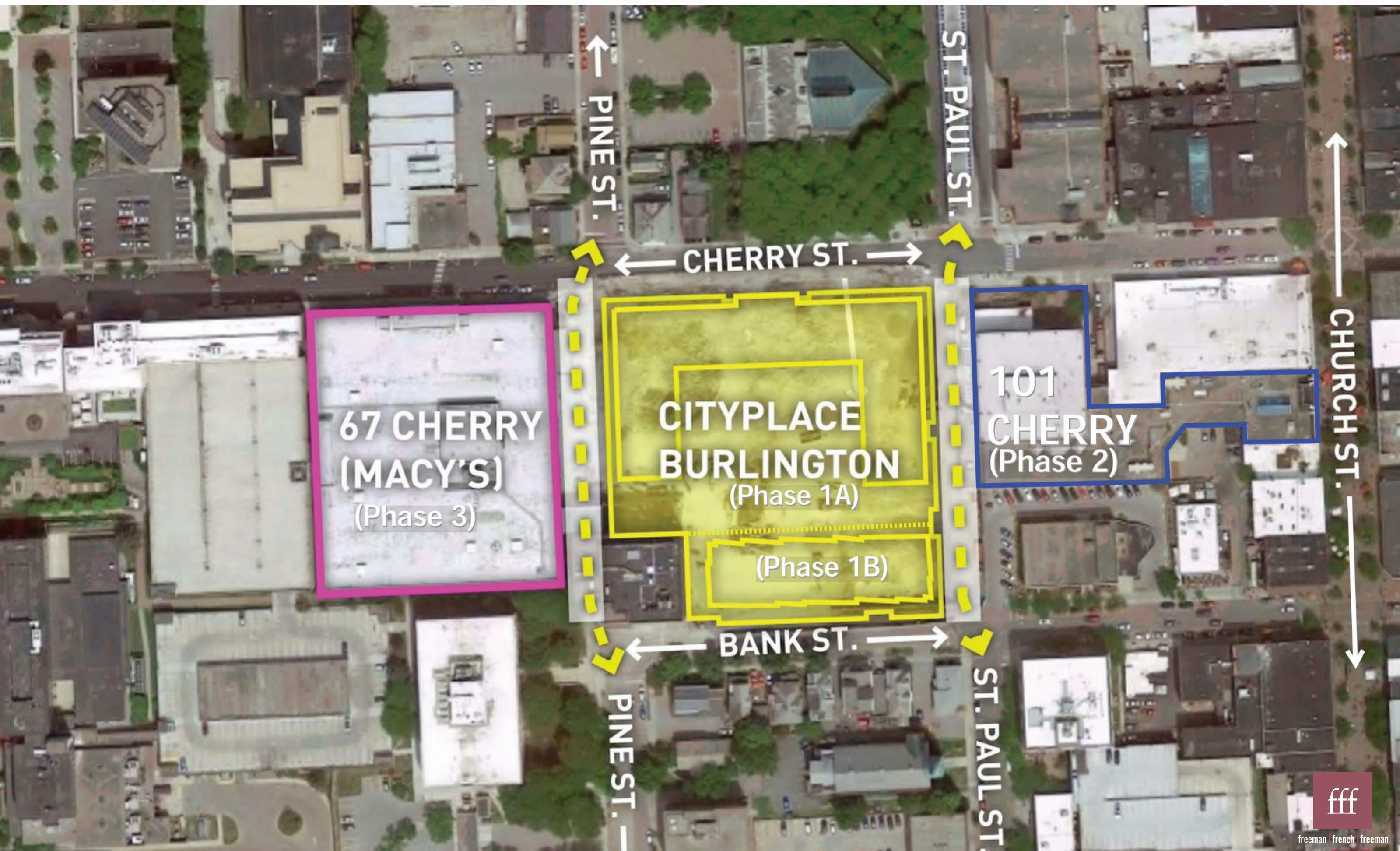
The application consists of the following components:

1. This summary
2. The original drawing package, resubmitted with 10 replacement sheets and one new sheet to illustrate the proposed changes. (See sheet list of the drawing package)
3. Revised Form District checklists. Checklists are edited versions of the original submission, with altered text shown with strikethrough and the revised text shown in bold print. The following checklists were unchanged and therefore not included, please refer to the original submission:
 - a. Frontage Type Checklist 14.5 for the Officefront typology
 - b. General Standards Checklist 14.6



Welcome to CityPlace Burlington

CITYPLACE
BURLINGTON



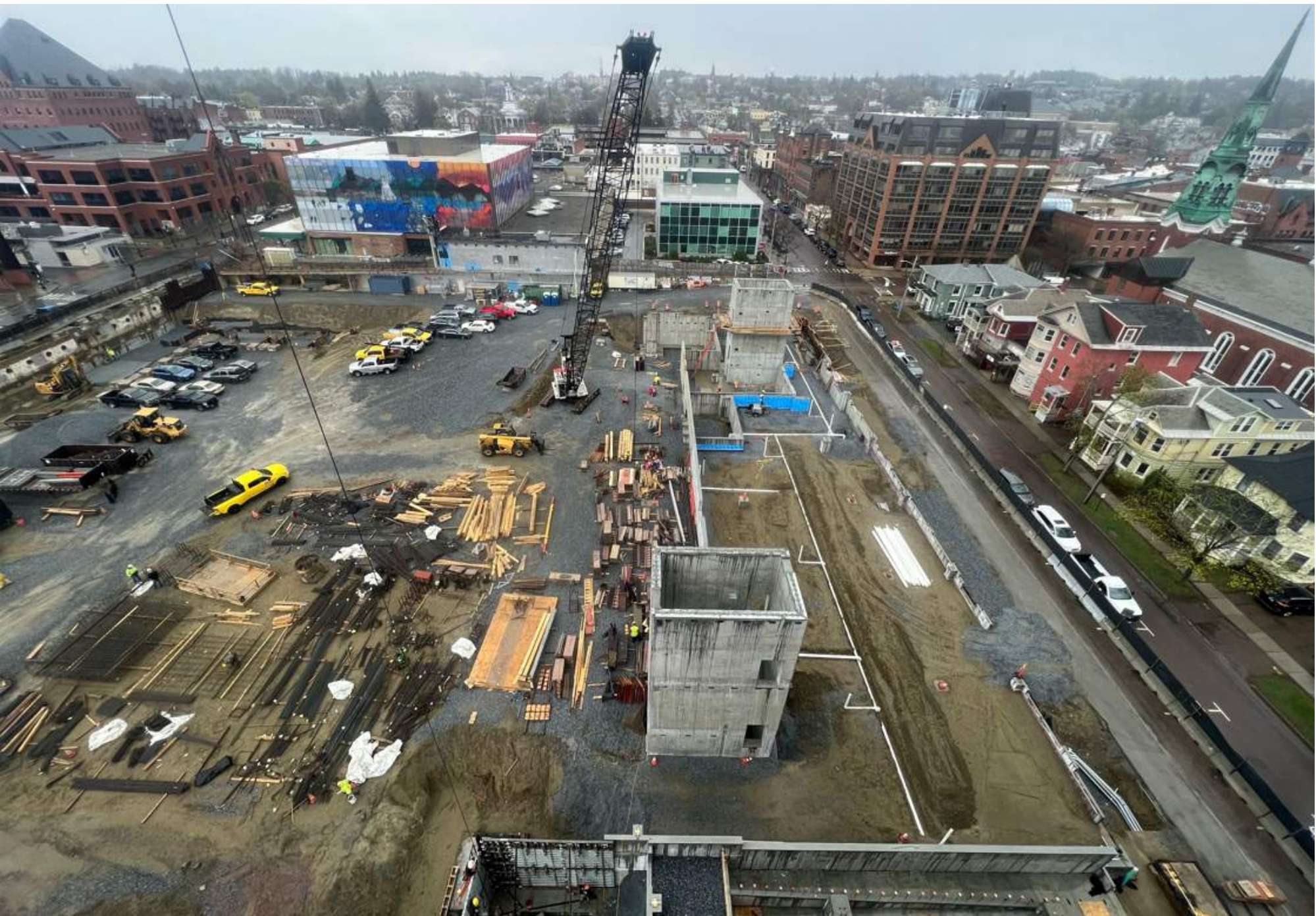
67 CHERRY
(MACY'S)
(Phase 3)

CITYPLACE
BURLINGTON
(Phase 1A)
(Phase 1B)

101
CHERRY
(Phase 2)

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building
CITYPLACE

Before (as permitted)



After (zoning amendment request)



CityPlace Burlington

What's Changed?

Why are we here?

- Changed rooftop mechanical "pent-houses" to residential use after change to all-electric design reduced need for mechanical equipment
- Changed South Building restaurant to residential use
- Lowered actual roof height

- Added balconies to South Building
- Added 8' to length of East Wing, improving residential units
- Change to add residences at mech. space requires approval through DAB, DRB
- If not approved or appealed, existing permit will not be affected



freeman french freeman

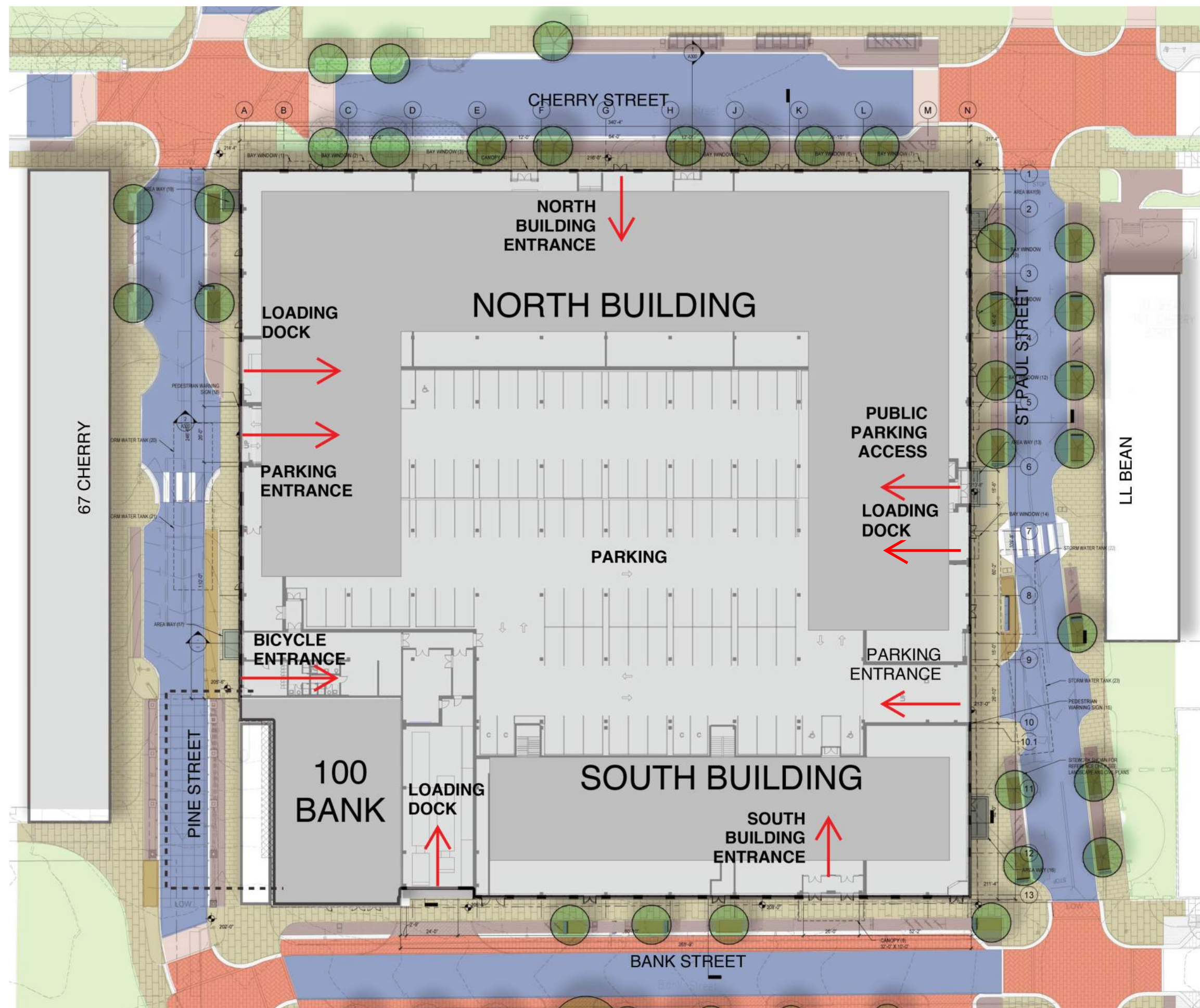


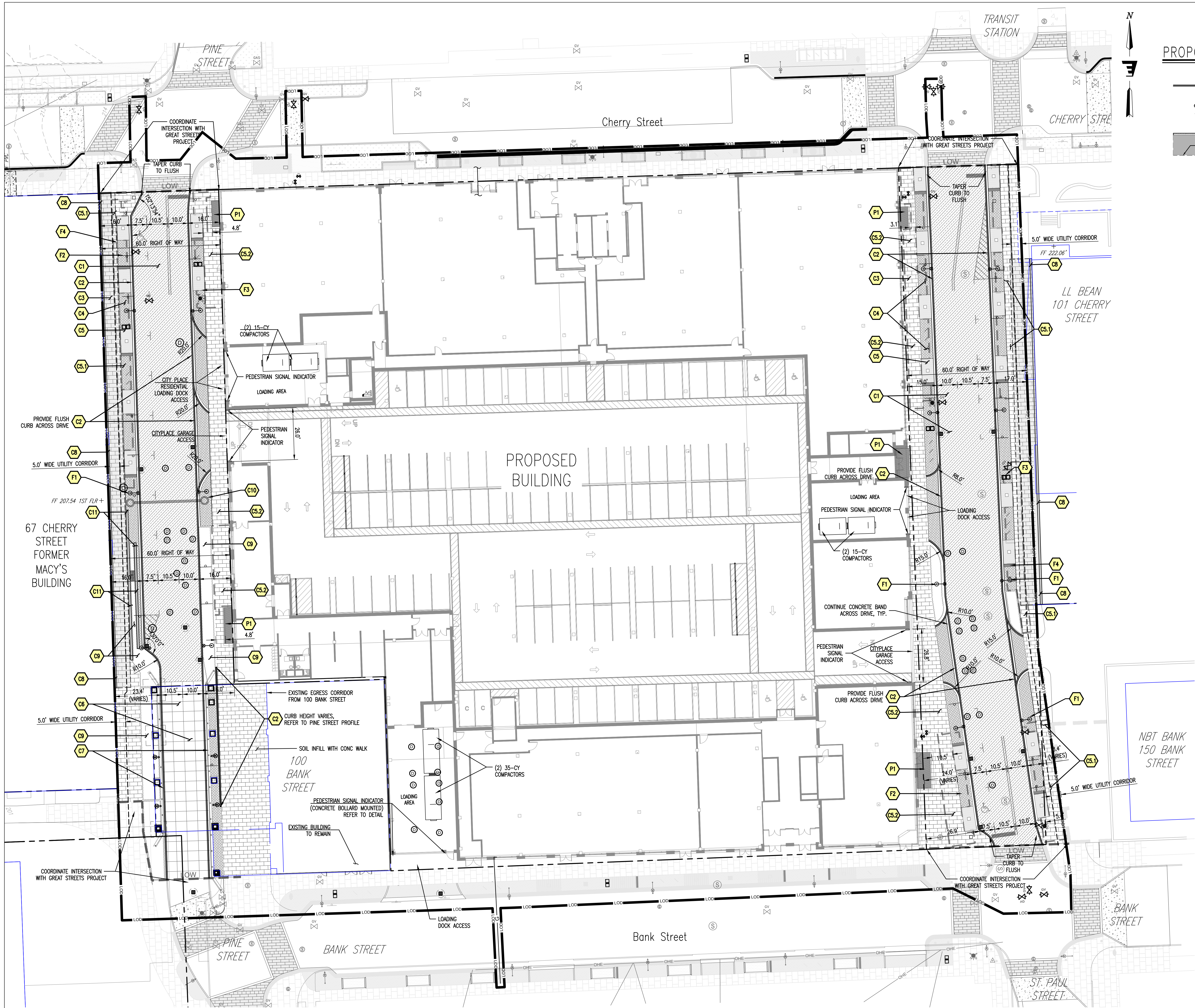
freeman french freeman

CityPlace Burlington Program Summary



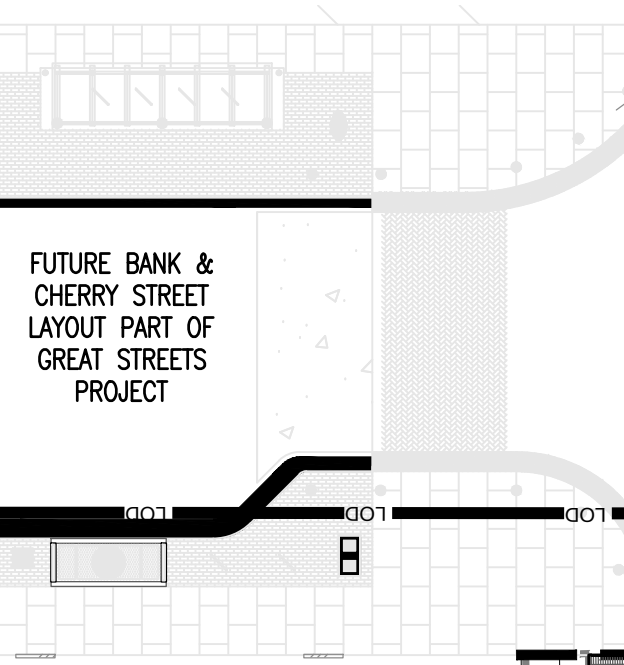
- 400-480 Housing units, including 85+ affordable units (based on % floor area)
- 45,000sf of Street Level Retail
- Reconnect St. Paul and Pine Streets
- 422 Parking spaces plus ± 300 bike parking spaces
(Recent zoning changes require no parking and set a *maximum* of 478 spaces for the current design)
- 720,000 total gross square feet





PROPOSED FEATURES LEGEND

- EDGE OF PAVEMENT/CURB
- SIGN
- SITE LIGHT
- APPROXIMATE RETAINING WALL
- CATCH BASIN
- DRAINAGE MANHOLE
- WATER VALVE
- HYDRANT
- SEWER MANHOLE



SITE IMPROVEMENTS SCHEDULE

HEX ID	PUBLIC IMPROVEMENT	MODIFIED PUBLIC IMPROVEMENT
C1	ASPHALT PAVEMENT, DETAIL 1/C-302 PRICE SUB GRADE SEPARATELY	ASPHALT PAVEMENT, DETAIL 1/C-302 PRICE SUB GRADE SEPARATELY
C2	GRANITE CURB, DETAIL 2/C-302	CONCRETE CURB, DETAIL 15/C-302
C3	CONCRETE SIDEWALK, DETAIL 3/C-302	CONCRETE SIDEWALK, DETAIL 3/C-302
C4	BRICK PERMEABLE PAVERS, DETAILS 10&12/C-302	CONCRETE SIDEWALK, DETAIL 3/C-302
C5	TREE & TREE GRATE, PER LANDSCAPE DETAILS	CONCRETE SIDEWALK, DETAIL 3/C-302
CS.1	SOIL CELLS, DETAIL 11/C-302	SOIL CELLS, DETAIL 11/C-302
CS.2	SOIL CELLS, DETAIL 11/C-302	ADJACENT CPB FOUNDATION NOT IN PLACE: CONCRETE SIDEWALK, DETAIL 3/C-302 ADJACENT CPB FOUNDATION IN PLACE: SOIL CELLS, DETAIL 11/C-302
C6	CONCRETE PAVEMENT, DETAIL 13/C-302	CONCRETE PAVEMENT, DETAIL 13/C-302
C7	VEHICLE GUARDRAIL, DETAIL 1/C-306	VEHICLE GUARDRAIL, DETAIL 1/C-306
C8	CONCRETE RETAINING WALL & FOOTING ADJACENT TO EXISTING BUILDING	CONCRETE RETAINING WALL & FOOTING ADJACENT TO EXISTING BUILDING
C9	PLANTING BED, PER LANDSCAPE DETAILS	PLANTING BED, PER LANDSCAPE DETAILS
C10	MAST MOUNTED OVERHEAD CLEARANCE BAR DETAIL 2/C-306	MAST MOUNTED OVERHEAD CLEARANCE BAR DETAIL 2/C-306
C11	PROPOSED CONCRETE RETAINING WALL 30" MAX. HEIGHT, DETAIL 5/C-306	PROPOSED CONCRETE RETAINING WALL 30" MAX. HEIGHT, DETAIL 5/C-306

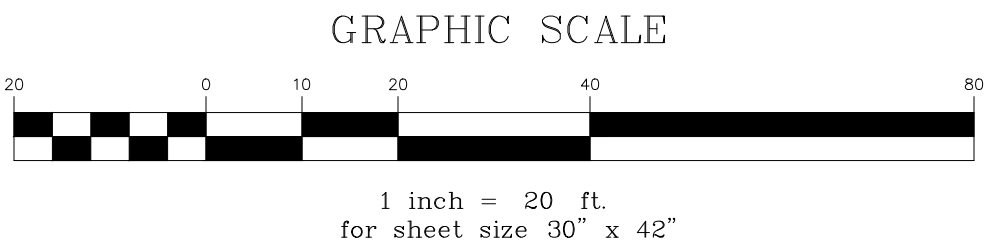
PRIVATE IMPROVEMENTS SCHEDULE

HEX ID	PRIVATE IMPROVEMENT
P1	AREAWAY, REFER TO ARCHITECTURAL DRAWINGS

STREET FURNISHINGS SCHEDULE

HEX ID	PUBLIC IMPROVEMENT	MODIFIED PUBLIC IMPROVEMENT
F1	ORNAMENTAL STREET LIGHT & FOUNDATION	TEMPORARY STREET LIGHT PER B.E.D. & FOUNDATION
F2	BIKE RACK	NOT INCLUDED
F3	TRASH RECEPTACLE	NOT INCLUDED
F4	BENCH	NOT INCLUDED

NOTE: UTILITY SERVICES/CONNECTIONS FOR WATER, SEWER, ELECTRICAL, AREAWAYS, ETC. ASSOCIATED WITH THE PROPOSED BUILDING ARE SPECIFIC TO THE PRIVATE IMPROVEMENTS ASSOCIATED WITH THE PROJECT.
REFER TO SHEET C-105, UTILITY PLAN



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NOT FOR CONSTRUCTION

CITYPLACE
BURLINGTON

CityPlace Partners, LLC
110 Main Street, Burlington, VT 05401

ISS PROJECT NO:	1A1947.00	CONSULTANT PROJ. NO:	14660
ORIGINATION DATE:	11/22/21	SCALE:	As Indicated
DRAWN BY:	HKW	CHECKED BY:	KW
100% Plot Set		30 Dec 2021	
Progress Plan Set		08 Sep 22	

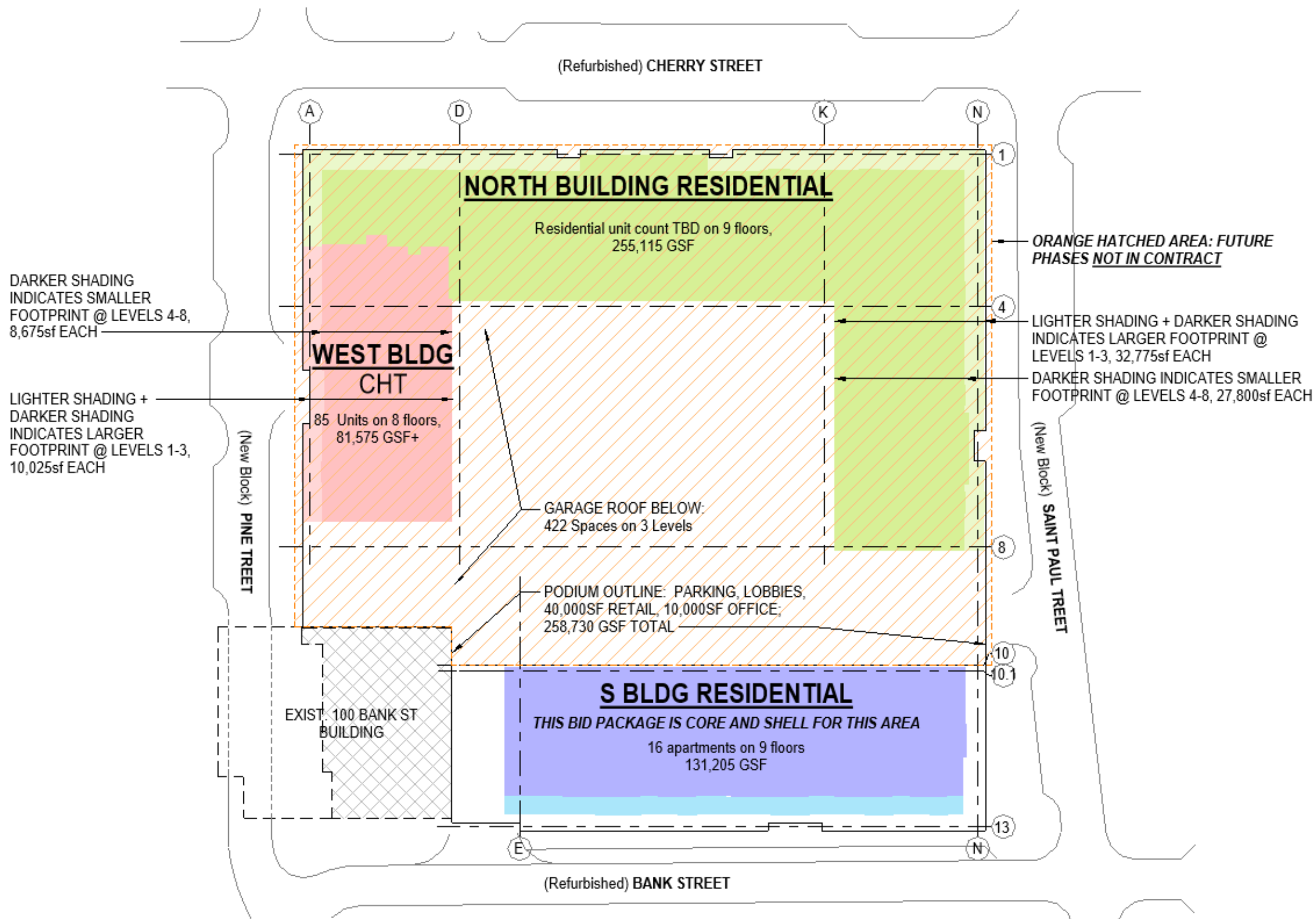
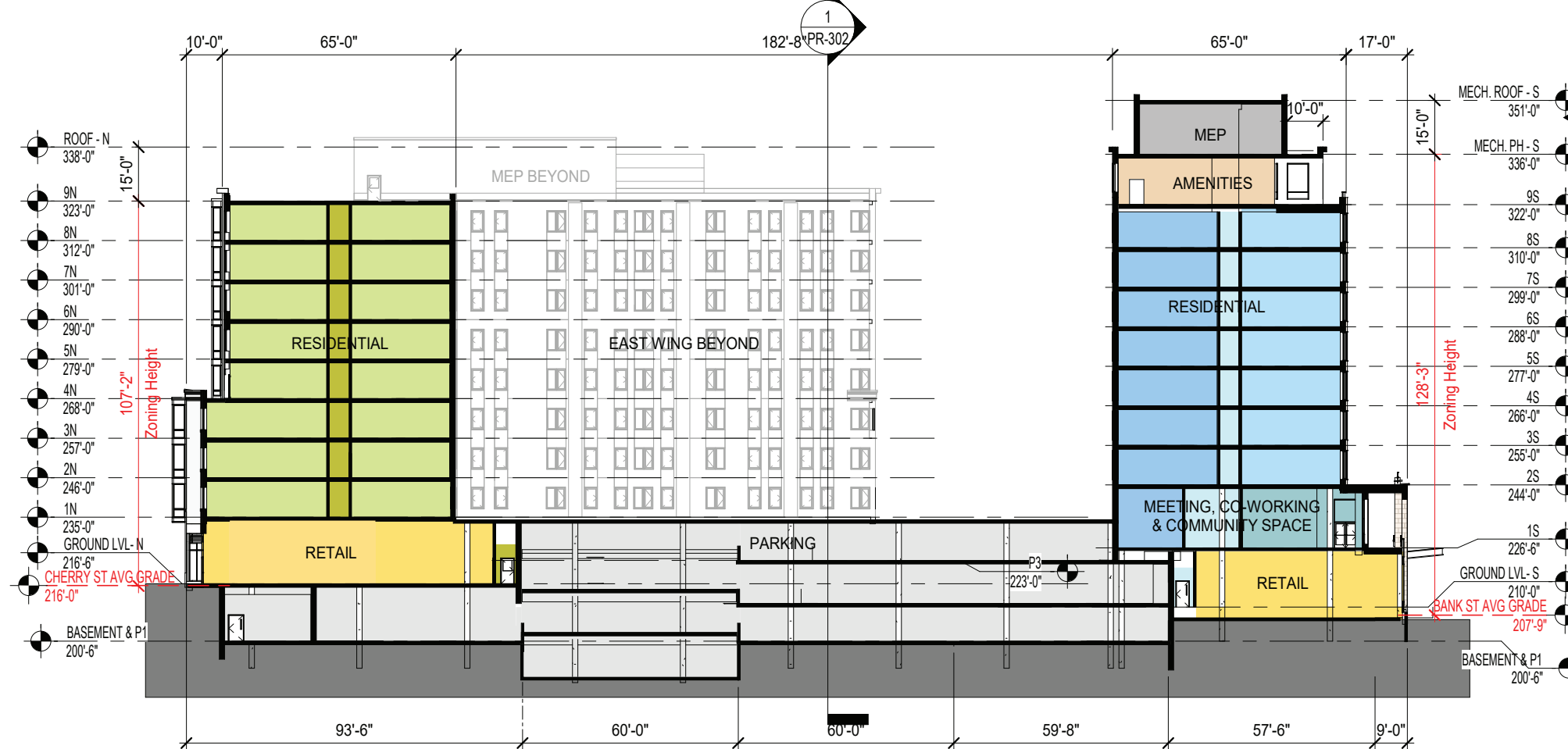


Diagram 4
Unit Mix

January, 2022



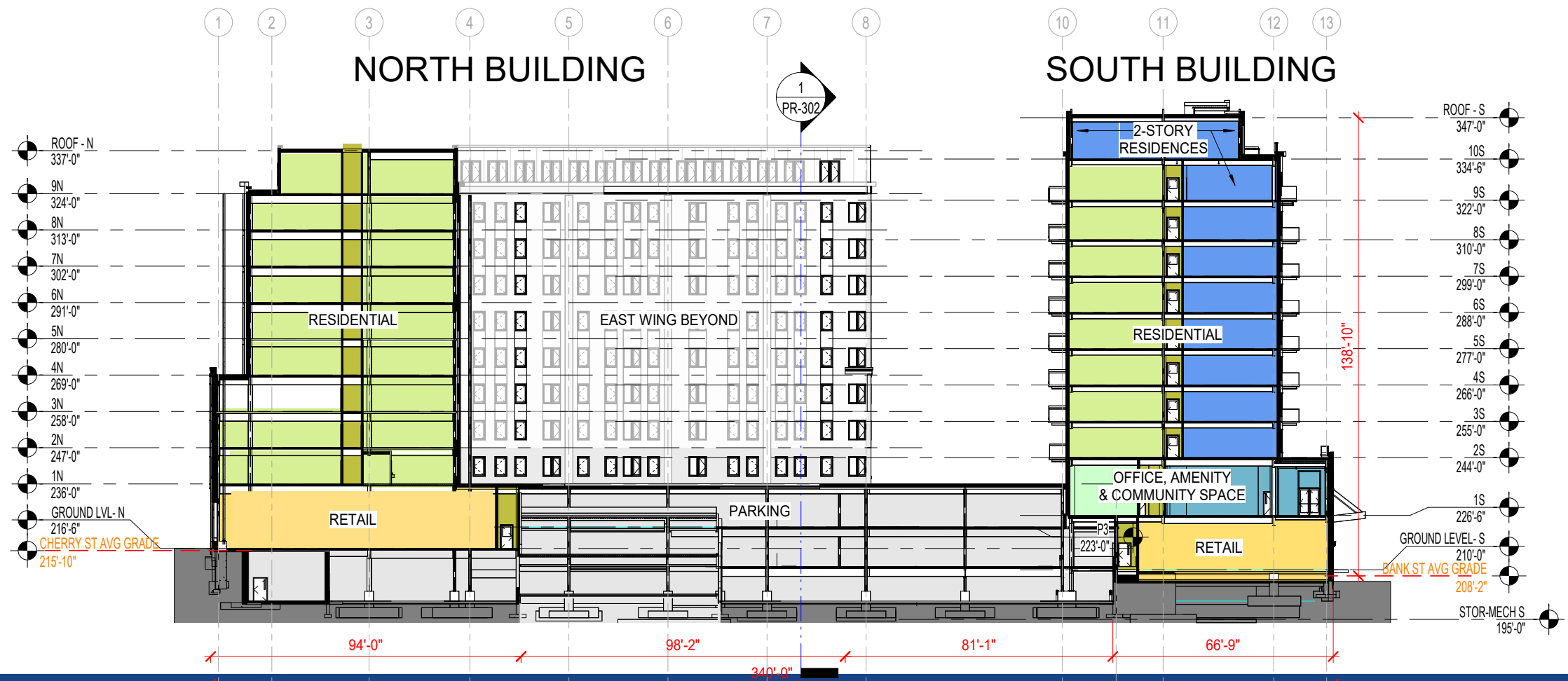
Before: Zoning height = 128'-3",
Actual top of building = 143'-3"

*Zoning rules measure height to the
top of the highest occupied floor*

Now: Zoning height = 138'-10",
Actual top of building = 138'-10"

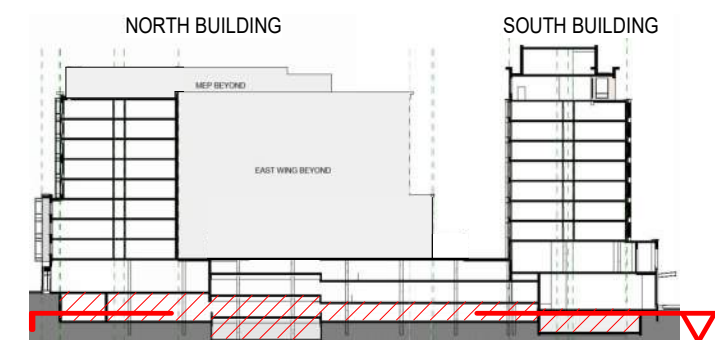


Cherry Street heights
Old: 107'-2" occupied
122'-2" actual
New: 121'-2" occupied
121'-2" actual



PR-300
N-S Section Looking East

May 11, 2023



PR-100
Ground Level
 AND P2 PARKING
 May 11, 2023

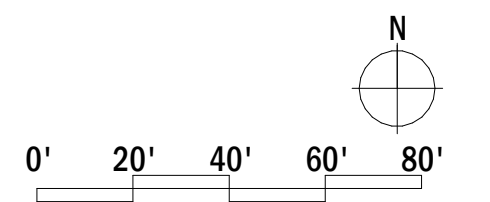
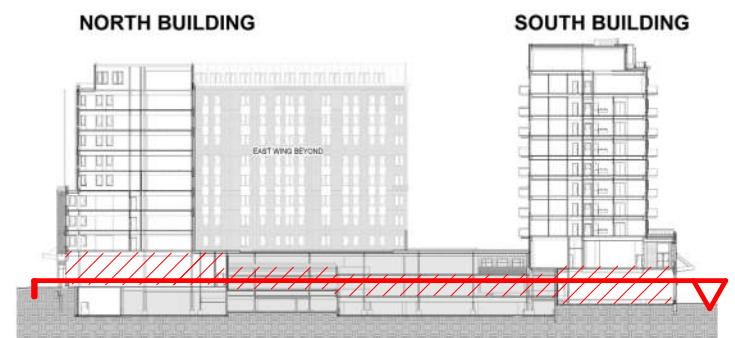


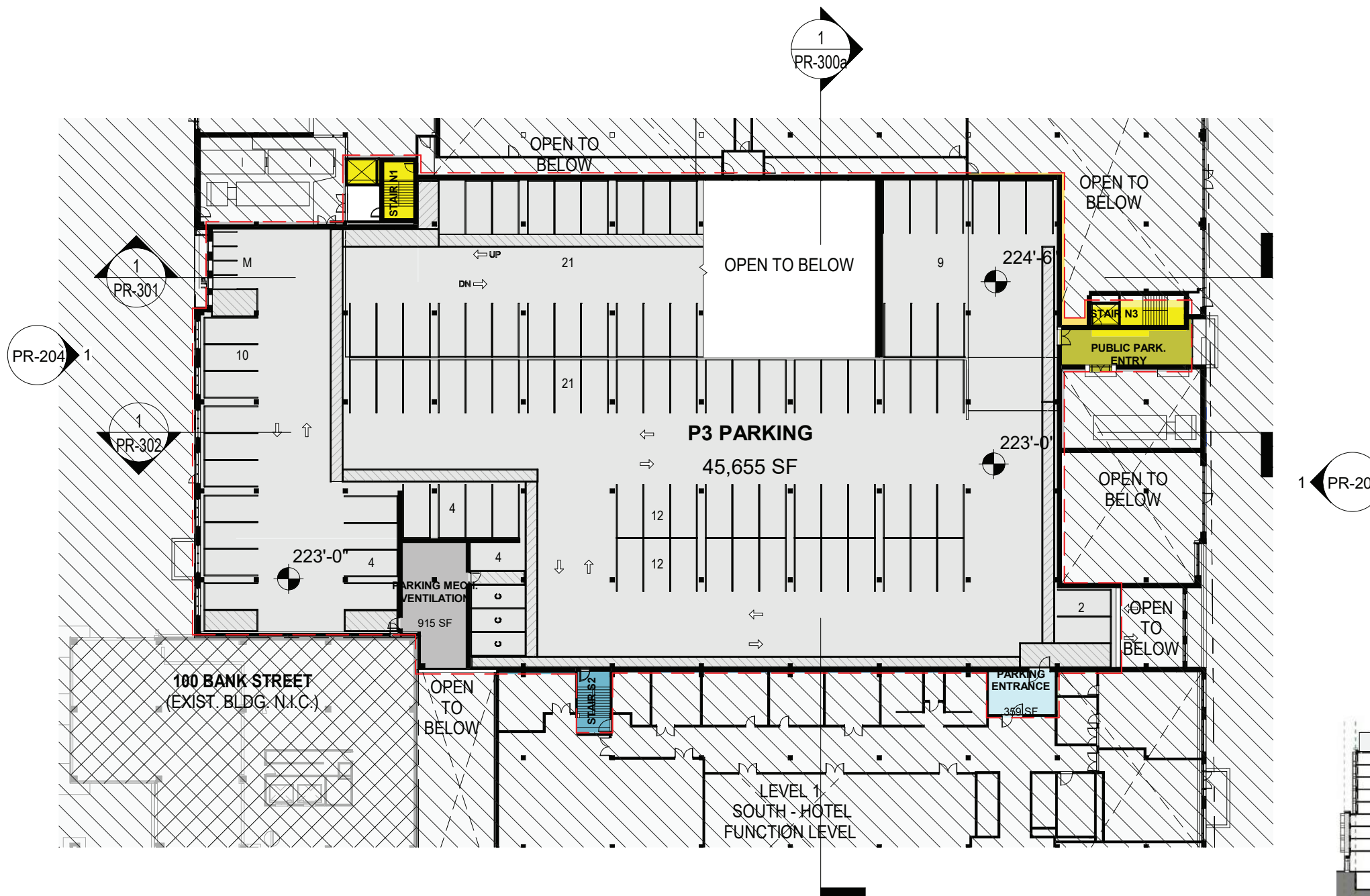
PROGRAM LEGEND

- PARKING
- MEP/ BUILDING SUPPORT
- RESIDENTIAL- STORAGE
- RES. LOBBY & AMENITY
- RETAIL
- CIRCULATION
- ELEVATORS & STAIRS
- SPOT ELEVATION- SIDEWALK GRADE OR FINISH FLOOR

PARKING
 THIS LEVEL (P2): 109 STRIPED
 TOTAL: 422 STRIPED

NOTES
 SQUARE FOOTAGES SHOWN ARE PRELIMINARY
 USABLE AREA. RENTABLE AREA WILL BE SLIGHTLY LARGER.





PROGRAM LEGEND

- PARKING
- MEP/ BUILDING SUPPORT
- RESIDENTIAL- STORAGE
- RES. LOBBY & AMENITY
- RETAIL

NORTH BUILDING

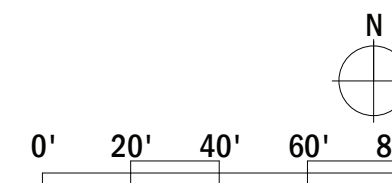
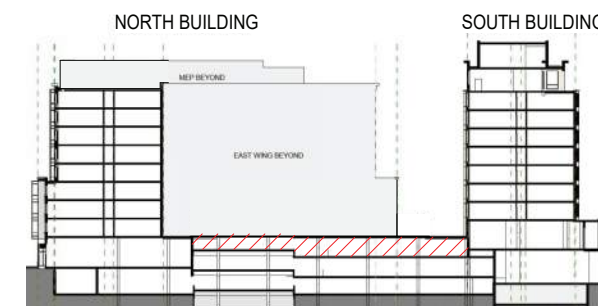
- CIRCULATION
- ELEVATORS & STAIRS
- RETAIL

SOUTH BUILDING

- CIRCULATION
- ELEVATORS & STAIRS
- OFFICE/ CO-WORKING
- COMMUNITY SPACE
- MEETING, MTG SUPPORT

PARKING

THIS LEVEL (P3): 199 STRIPED
TOTAL: 422 STRIPED

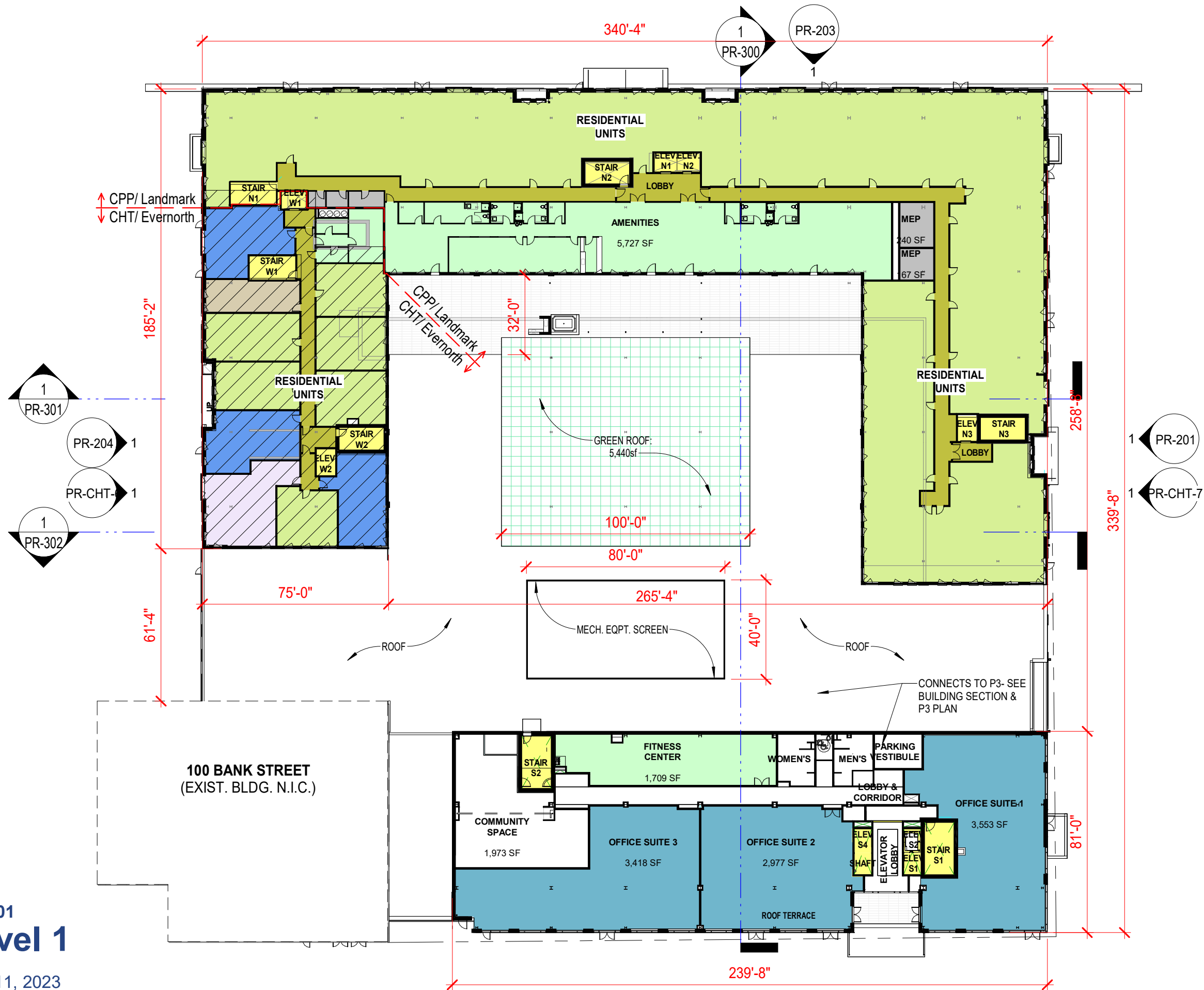


PR-100.5
LEVEL P3

v4.3 10/6/2020

PR-101
Level 1

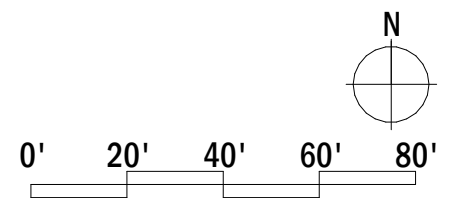
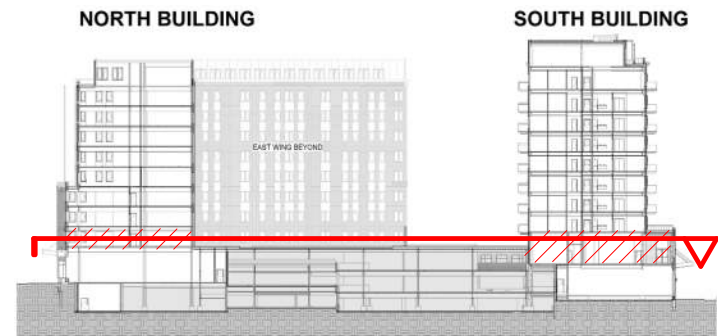
May 11, 2023



PROGRAM LEGEND

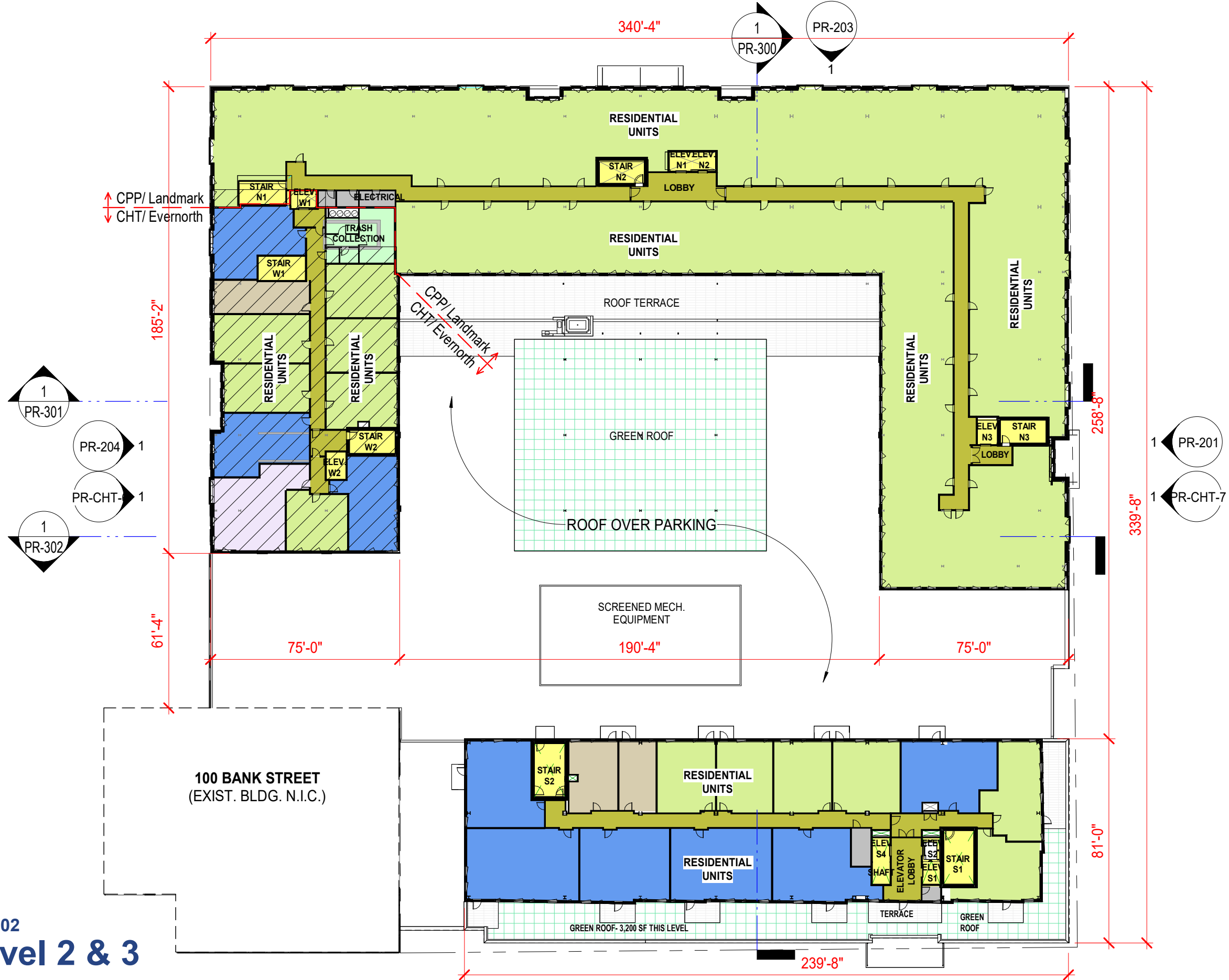
- MEP/ BUILDING SUPPORT
- RESIDENTIAL- STORAGE
- RES. LOBBY & AMENITY
- PARKING
- RESIDENTIAL STUDIO
- Jr. 1 BEDROOM RESIDENTIAL
- 1 BR RESIDENTIAL
- Jr. 2 BR RESIDENTIAL
- 2 BR RESIDENTIAL
- 3 BR RESIDENTIAL
- CIRCULATION
- ELEVATORS & STAIRS
- OFFICE/ CO-WORKING
- COMMUNITY SPACE
- MEETING, MTG SUPPORT

RESIDENTIAL UNITS
NORTH BUILDING LEVEL 1: TBD
WEST BUILDING LEVEL 1:
1 Studio, 6 1-BR, 3 2-BR, 1 3-BR: 11 Units



PR-102
Level 2 & 3

May 11, 2023

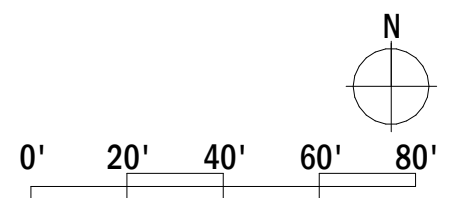
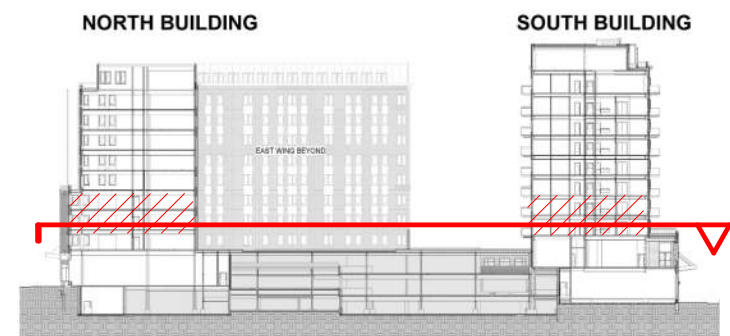


PROGRAM LEGEND

- CIRCULATION
- ELEVATORS & STAIRS
- STUDIO
- 1 BR RESIDENTIAL
- 2 BR RESIDENTIAL
- 2 BR RESIDENTIAL
- MEP/ BUILDING SUPPORT

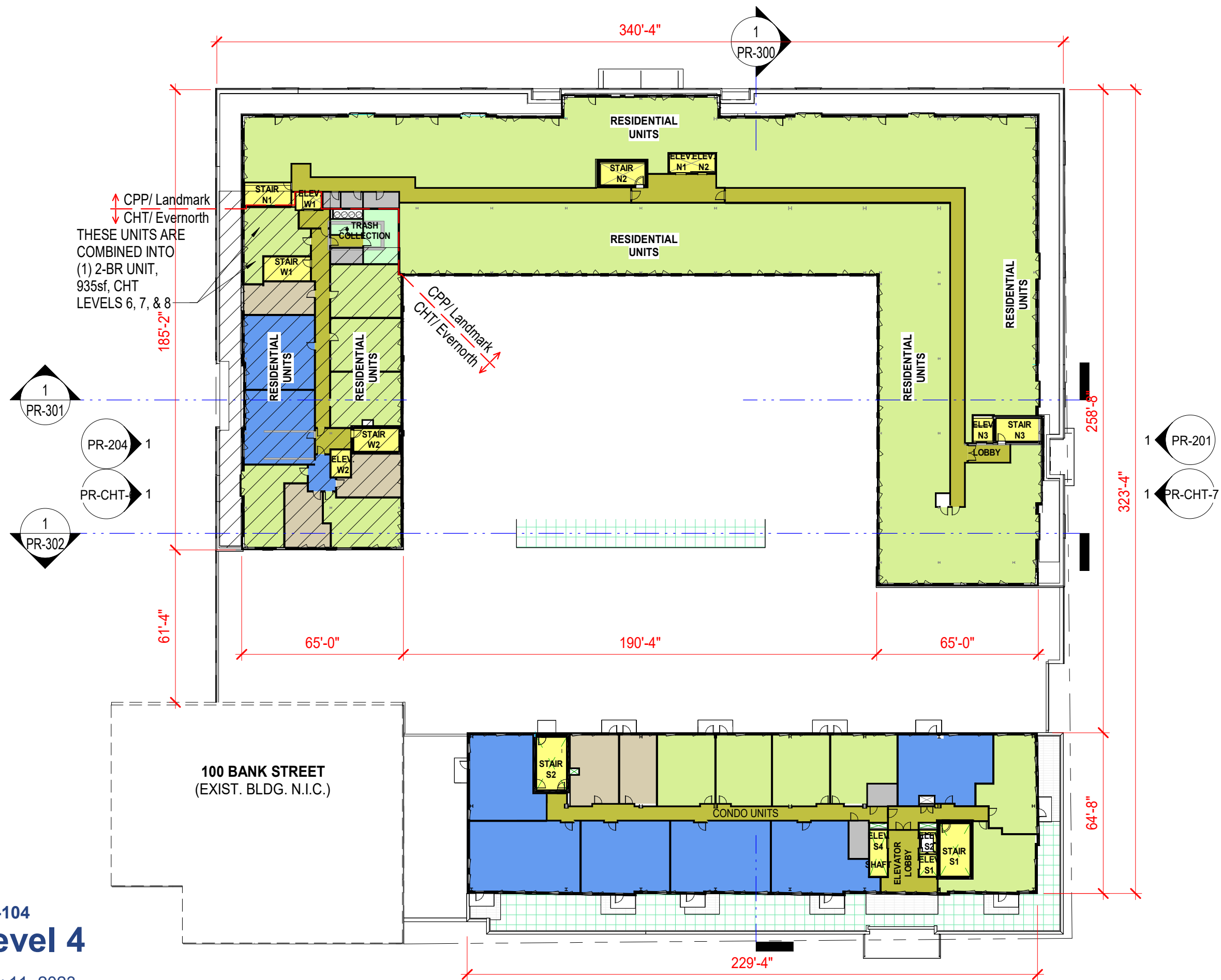
RESIDENTIAL UNITS

- NORTH BUILDING: TBD
- WEST BUILDING, LEVEL 2 & 3:
1 Studio, 6 1-BR, 3 2-BR, 1 3-BR: 11 Units
- SOUTH BUILDING, LEVELS 2-8, each:
2 Studios, 6 1-BRs, 6 2-BRs: 14 units per floor



PR-104
Level 4

May 11, 2023



PROGRAM LEGEND

- CIRCULATION
- ELEVATORS & STAIRS
- STUDIO
- 1 BR RESIDENTIAL
- 2 BR RESIDENTIAL
- 2 BR RESIDENTIAL
- MEP/ BUILDING SUPPORT

RESIDENTIAL UNITS

NORTH BUILDING: TBD

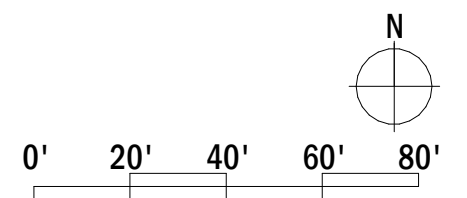
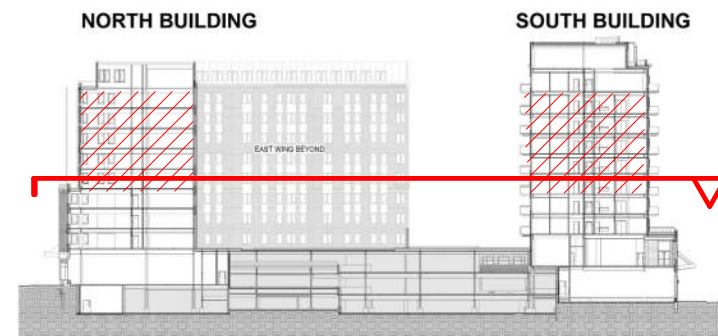
WEST BUILDING

LEVEL 4:
1 Studio, 6 1-BR, 2 2-BR: 11 Units

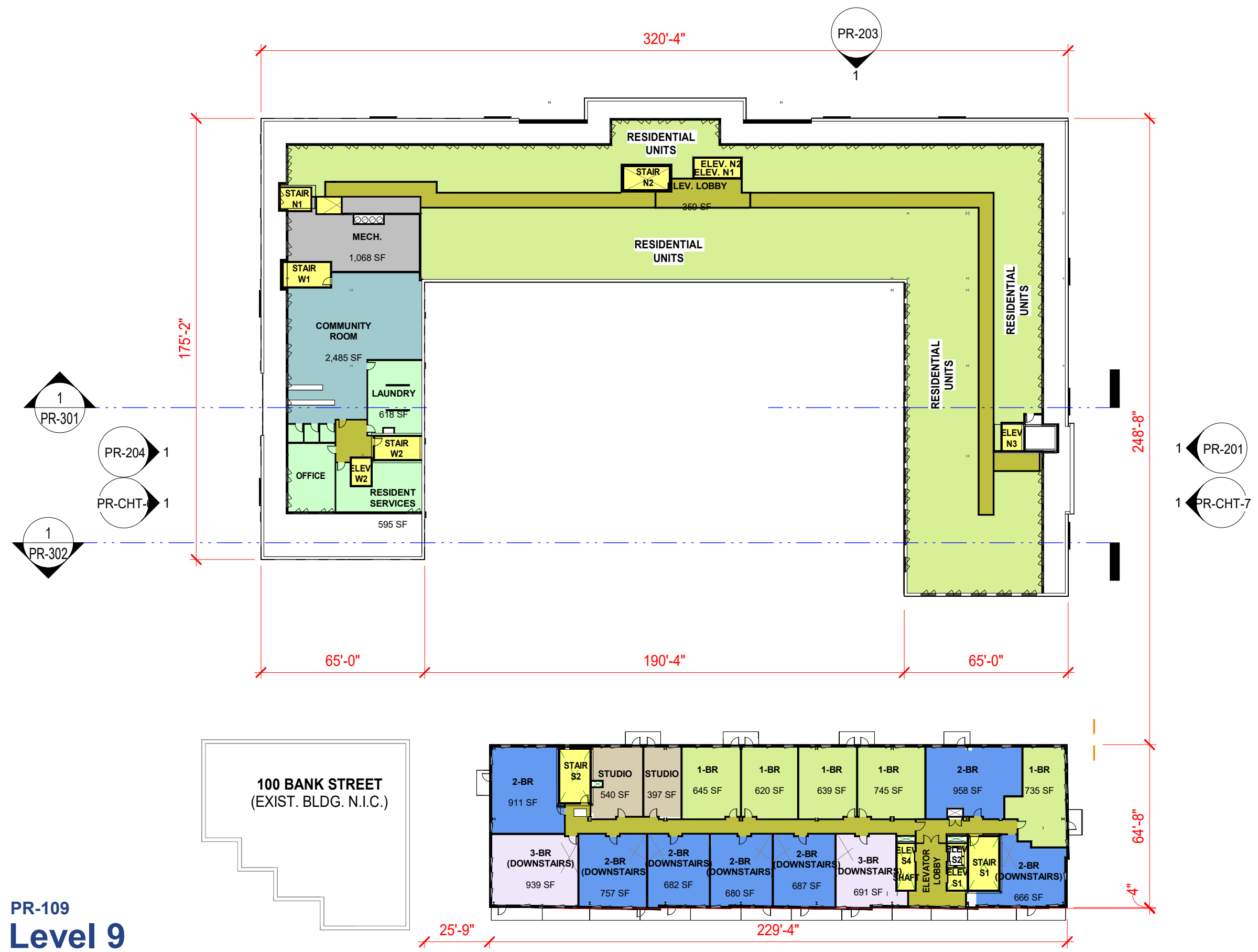
LEVEL 5-7:
7 1-BR, 3 2-BR: 10 Units

LEVEL 8:
2 Studio, 8 1-BR, 1 2-BR: 11 Units

SOUTH BUILDING, LEVELS 2-8, each:
2 Studios, 6 1-BRs, 6 2-BRs: 14 units per floor



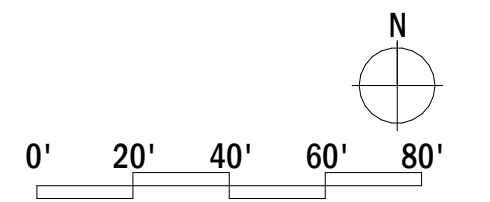
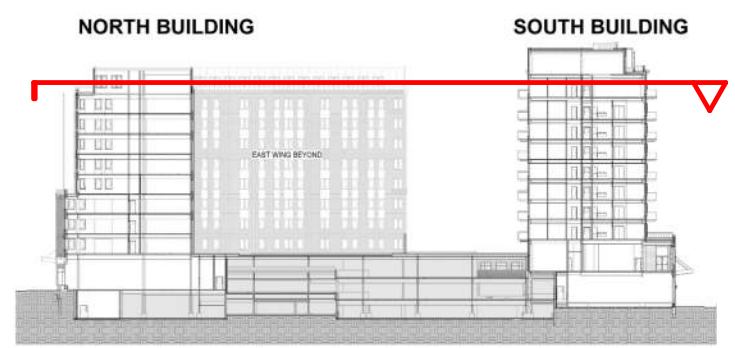
CITYPLACE
BURLINGTON



PROGRAM LEGEND

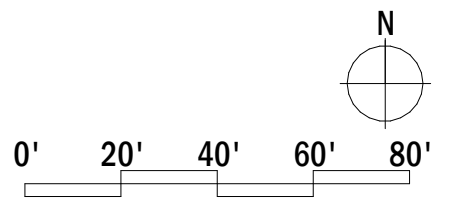
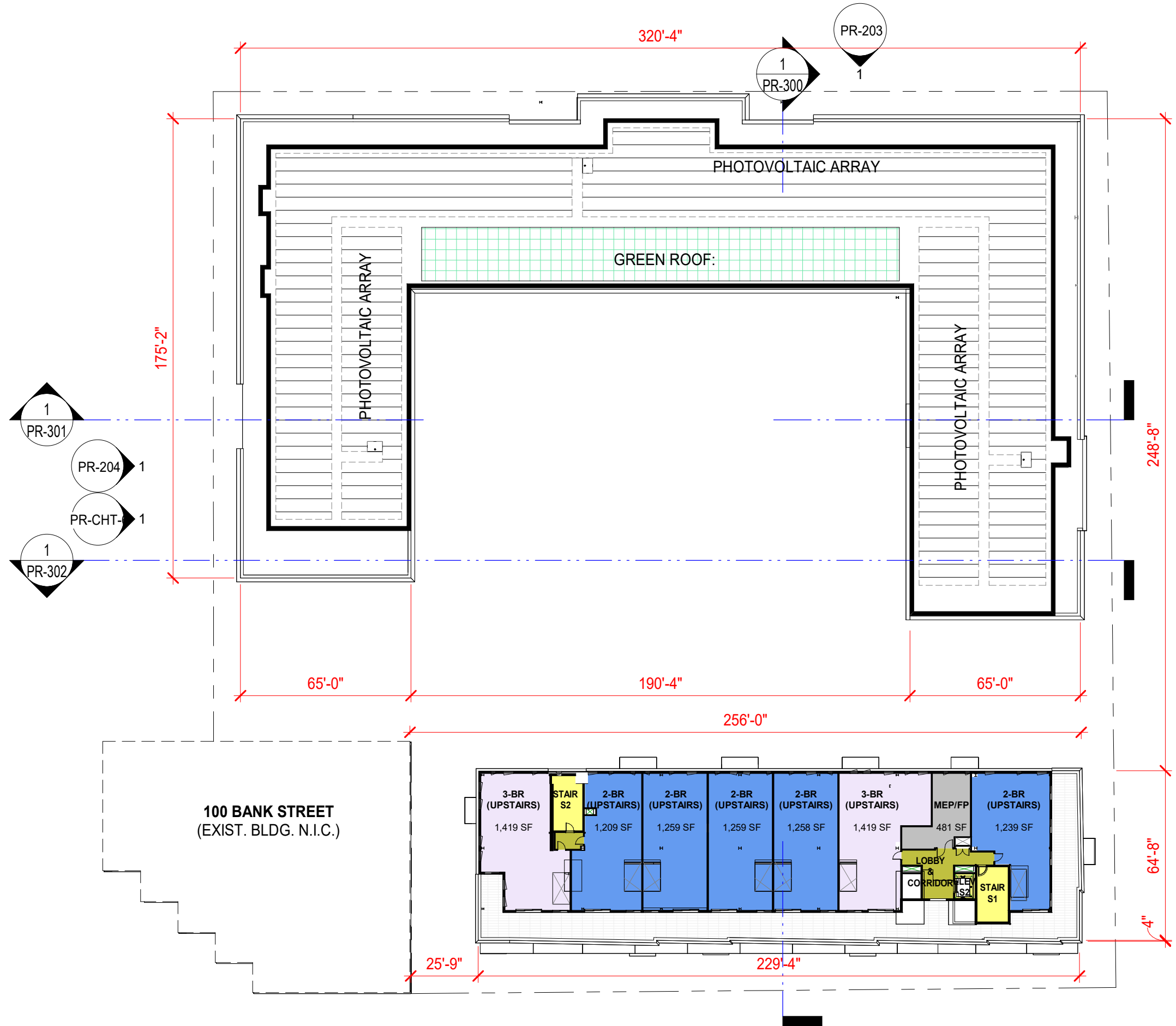
- CIRCULATION
- ELEVATORS & STAIRS
- STUDIO
- 1 BR RESIDENTIAL
- 2 BR RESIDENTIAL
- 2 BR RESIDENTIAL
- MEP/ BUILDING SUPPORT

RESIDENTIAL UNITS
NORTH BUILDING: TBD
SOUTH BUILDING, LEVELS 9-10:
2 Studios, 5 1-BRs, 7 2-BRs, 2 3-BRs:
15 units total

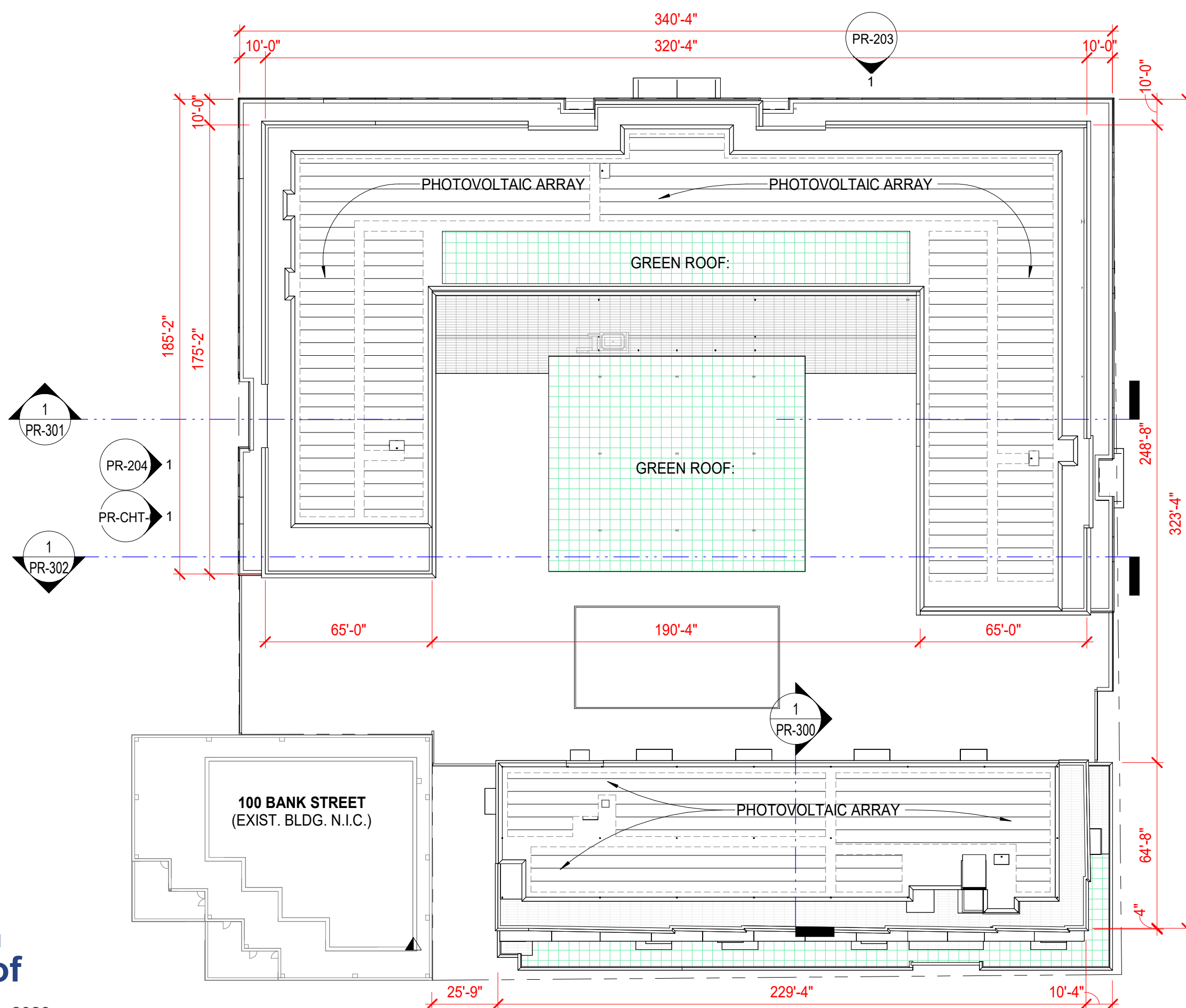


PR-110
Level 10

May 11, 2023



CITYPLACE
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PHOTOVOLTAIC & GREEN ROOF AREAS

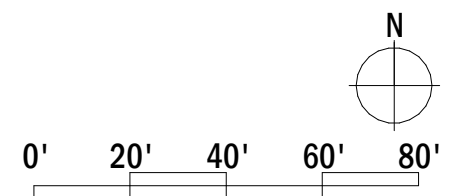
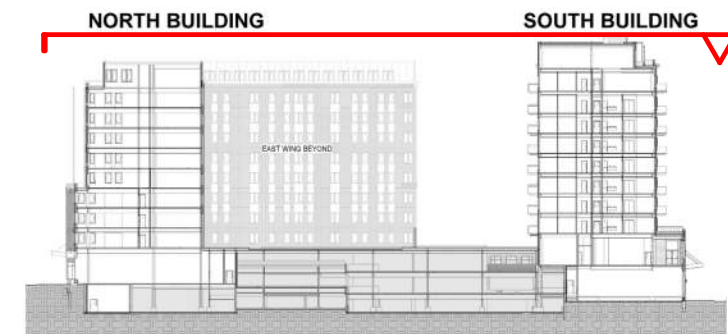
PHOTOVOLTAIC ARRAY AREA (estimated):

N & W Building combined- Roof & PH Roof:	18,400sf
S. Building- Roof & PH Roof:	7,875sf
TOTAL	26,275sf

Effective area w/ rooftop eqpt, stacks, etc. $\pm 23,300$ sf
Estimated generation at 12kWh/sf/yr: $\sim 280,000$ kWh/yr
PV estimates subject to utility agreements and installer/operator requirements.

GREEN ROOF AREA:

Level 8 Roof (Level 9), North Building:	3,700 sf
Parking Roof (Level 1), North Building:	8,400 sf
Level 2 Roof, South Building:	3,000 sf
TOTAL GREEN ROOF	15,100 sf
Green roof requirement (Per state stormwater permit 7760-9050): 0.346AC = 15,072sf	







freeman | french | freeman



CityPlace Burlington

Public Benefits

- More downtown housing, including affordable units
- Two reconnected public streets — Pine and St. Paul
- Sustainable Design
 - LEED® Gold certification
 - Green roof areas and Solar PV panels
 - 100% treatment of stormwater runoff from site
 - All electric building, no fossil fuels
- Community Access
 - Community Meeting Space
 - Bike Parking
- Enhanced Grand List & tax revenues

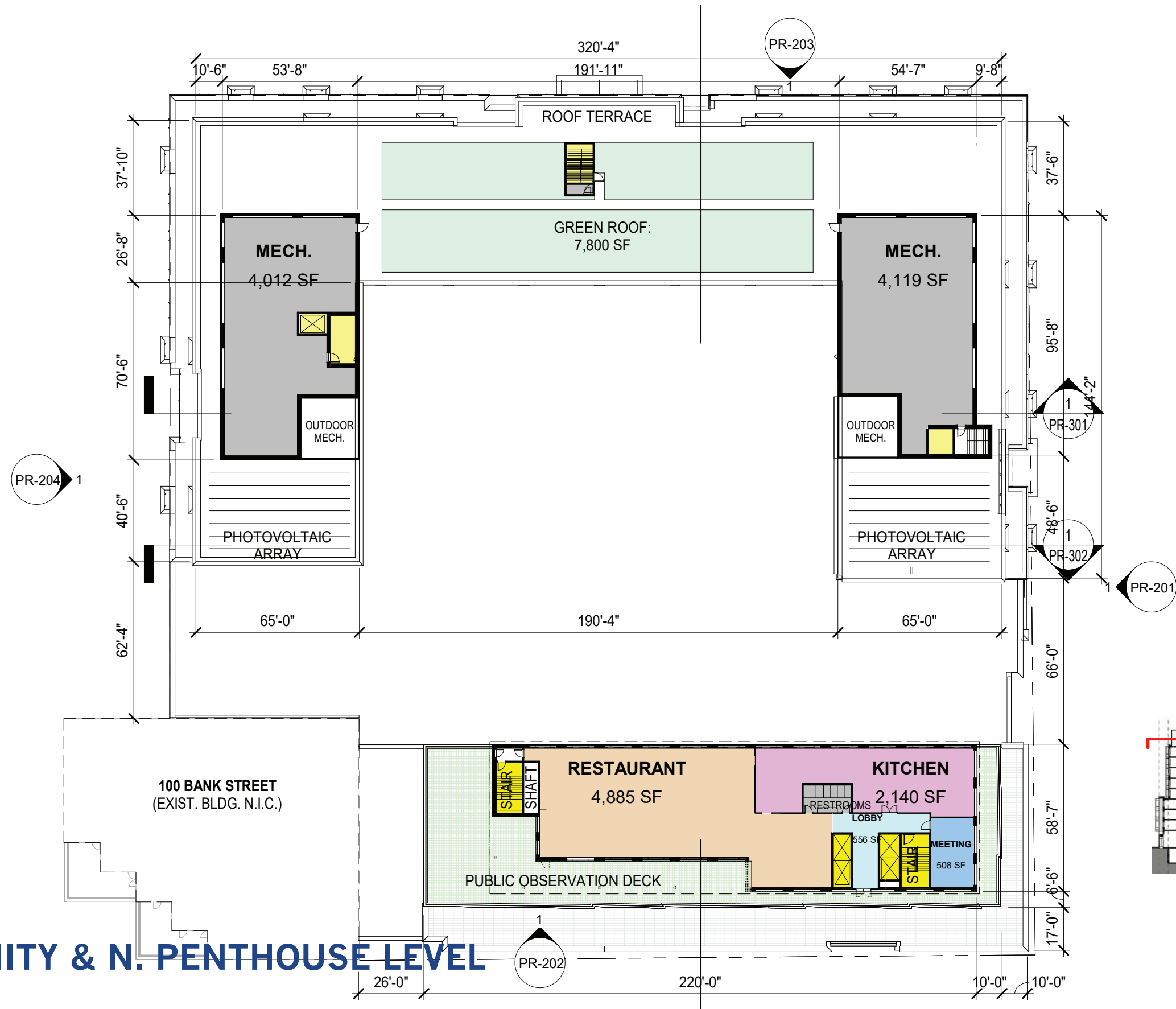


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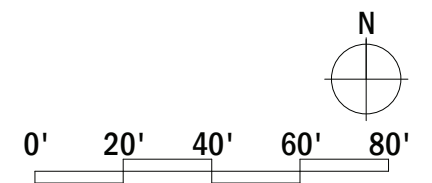
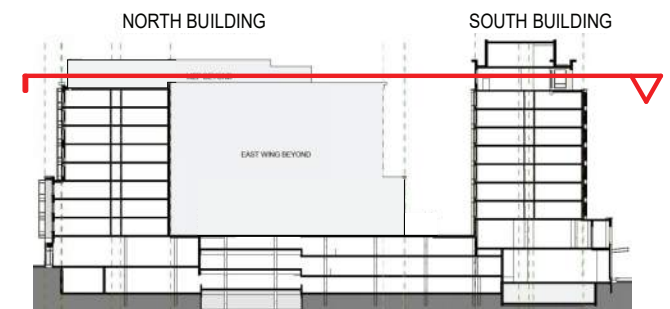
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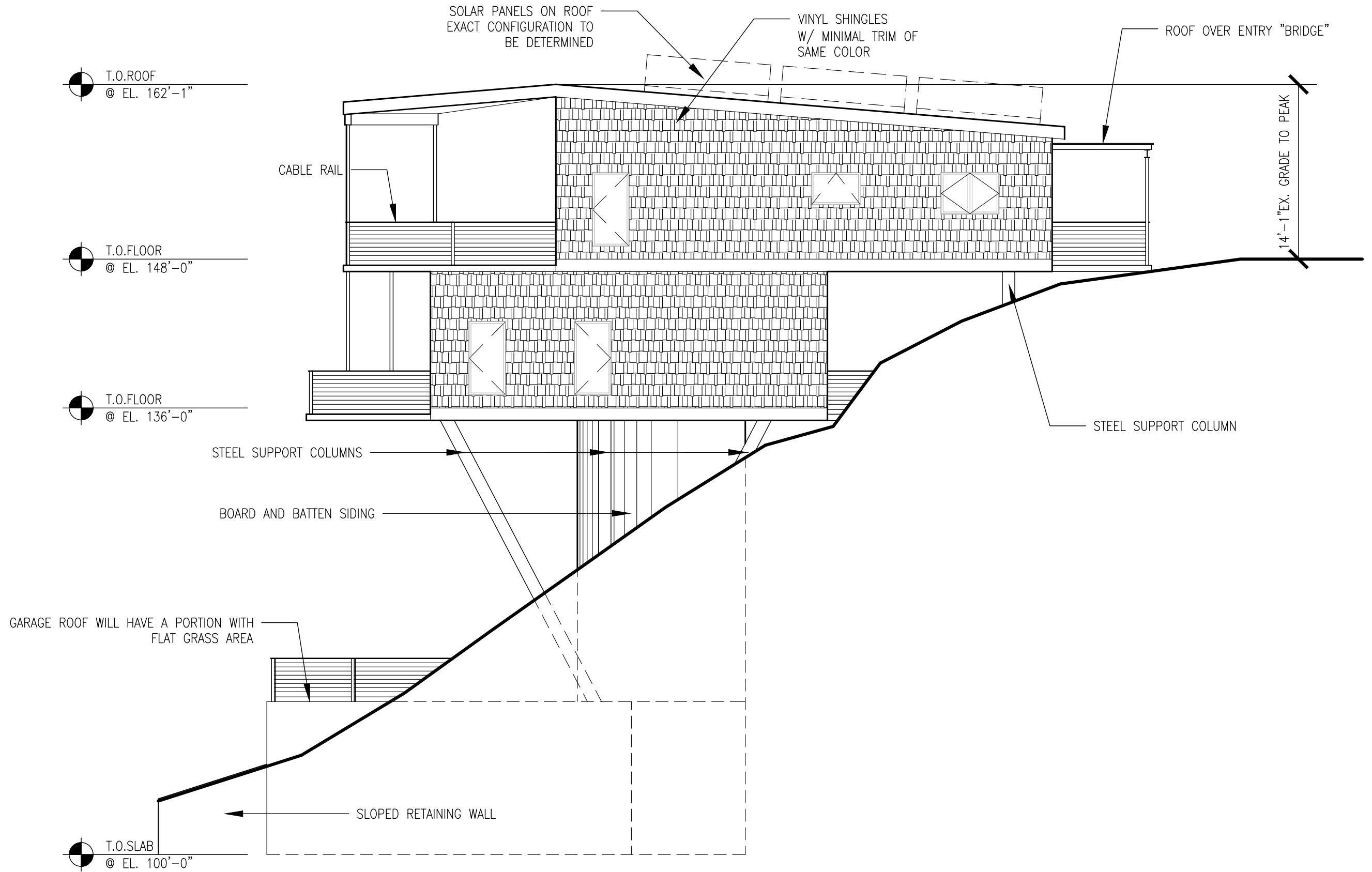
FOR ADDITIONAL INFORMATION PLEASE CONTACT

CITYPLACE PARTNERS, LLC
Dave Farrington - 802.316.6452
info@buildingCITYPLACE.com



PROGRAM LEGEND	
	_ CORE/ CIRC
	_ HOTEL
	_ HOTEL VERT. CIRCULATION
	KITCHEN
	RES VERT. CIRCULATION
	RESTAURANT
	~MEP/ BLDG SUPPORT





JPF Architecture, PLLC
Dubois & King, Inc.

Architect:
Engineer:

TROMBLEY RESIDENCE
120 Depot Street

SOUTH
ELEVATION

DATE
5.12.

SHEET NUMBER

A2.

Revised 7.18.22
DRB set Not for Construction

Burlington Development Review Board

Department of Permitting & Inspections
645 Pine Street
Burlington, VT 05401
www.burlingtonvt.gov/DPI/DRB
Telephone: (802) 865-7188
Fax: (802) 863-0466

AJ LaRosa
Caitlin Halpert
Geoff Hand
Brooks McArthur
Brad Rabinowitz
Leo Sprinzen
Chase Taylor
Sean McKenzie, (Alternate)
Vacant, (Alternate)



BURLINGTON DEVELOPMENT REVIEW BOARD

Tuesday, June 6, 2023, 5:00 PM

AGENDA

Hybrid & In Person (at 645 Pine Street) Meeting

Zoom: <https://us02web.zoom.us/j/83225696227?pwd=SGQ0bTdnS000Wkc3c2J4WWw1dzMxUT09>

Webinar ID: 832 2569 6227

Passcode: 969186

Telephone: US +1 929 205 6099 or +1 301 715 8592 or +1 312 626 6799 or +1 669 900 6833 or
+1 253 215 8782 or +1 346 248 7799

- I. Agenda
- II. Communications
- III. Minutes
- IV. Public Hearing

1. **ZP-23-33; 120 Depot Street (RM-W, Ward 3C) Andrea Trombley / Steve Trombley**
Continued review of height variance request up to 60 ft. (Project Manager, Scott Gustin)

Denied

2. **ZP-23-164; 75 Cherry Street (FD6, Ward 3C) CityPlace Partners, LLC / Jesse Robbins**
Amendment to ZP-21-0414; revisions to level 9 & 10 related to additional dwelling units; addition of balconies. (Project Manager, Mary O'Neil)

Approved

3. **Joint Institutional Parking Management Plan**
Review of proposed 2023-2028 Plan. (Project Manager, Scott Gustin)

Continued until date to be determined

V. Certificate of Appropriateness

1. **ZP-23-205; 655 Spear Street (I, Ward 6S) University of Vermont / State Agricultural College / Claire Forbes**
Proposed construction of a parking lot (162 spaces) following the demolition and removal of the BioResearch Laboratory building. (Project Manager, Mary O'Neil)

Continued until date to be determined

VI. Adjournment

Plans may be viewed upon request by contacting the Department of Permitting & Inspections between the hours of 8:00 a.m. and 4:30 p.m. Participation in the DRB proceeding is a prerequisite to the right to take any subsequent appeal. Please note that

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Burlington Development Review Board

Department of Permitting & Inspections

645 Pine Street

Burlington, VT 05401

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BURLINGTON DEVELOPMENT REVIEW BOARD

Tuesday, June 6, 2023, 5:00 PM

MINUTES

Hybrid & In Person (at 645 Pine Street) Meeting

Board Members Present: AJ LaRosa (5:05 PM), Caitlin Halpert, Geoff Hand, Brad Rabinowitz, Leo Sprinzen, and Sean McKenzie

Board Members Absent: Brooks McArthur and Chase Taylor

Staff Members Present: Scott Gustin, Mary O'Neil, and Joseph Cava

- I. Agenda**
- II. Communications**
- III. Minutes**
- IV. Public Hearing**

- 1. ZP-23-33; 120 Depot Street (RM-W, Ward 3C) Andrea Trombley / Steve Trombley**
Continued review of height variance request up to 60 ft. (Project Manager, Scott Gustin)
Steve Trombley, owner, present, Susan Eisenstadt, Louise Brill, Sally Edith, Mark Johnson, Ginny Gillespie, Elizabeth Christie, Sharon Bushor, and Rory Waterman: Sworn in.

AJ LaRosa: Can you walk us through this project?

Steve Trombley: Yes, I signed a contract, which included contingencies, to develop the land encompassed by the steep slope with a single-family residence that is viable and feasible. I met with Scott Gustin in June 2021 to discuss preliminary sketches. Scott Gustin spoke on the conformity of the site explaining that the front setback needed a variance. Later on in the process, I discovered I needed a variance for the height of the envisioned structure. Throughout the process, I wasn't made aware of the height calculation that would require a variance to bring the height into conformity with the existing ordinance. Ryan Morrison, who was previously employed with the City as a Planner, was not aware of these changes and responded to me about the changes that were needed to bring the design into conformity. I was under the impression that this process was a collaborative, but it turned into an adversarial process. This is not right and required drastic change to the envisioned design.

AJ LaRosa: We understand that this is a revision, but can you speak on the application for a height variance in front of us?

Steve Trombley: The revised design is similar to the original, but shorter to bring the design into compliance with the 60-foot maximum height allowance.

AJ LaRosa: The 60-foot maximum height allowance has changed, and the maximum height allowable is now 35-feet. From a construction perspective, is it impossible to construct a house that meets this height maximum?

Steve Trombley: No, but it would be like a cave below ground.

Caitlin Halpert: What is the square footage of the proposed residence?

Steve Trombley: Roughly 1,900 square feet.

AJ LaRosa: So, the basis of this review for a variance is for the upper stories?

Steve Trombley: Yes. My younger son has physical challenges, so the house is designed to be functional without building underground. My wife has concerns if the design forces our family underground.

Geoff Hand: There are specific criteria that the board needs to review as part of this proposal for a variance.

AJ LaRosa: What are the limitations posed by this lot?

Steve Trombley: This is a steep grade slope, and my family will never be able to live here if this design were denied.

AJ LaRosa: What was the original proposed height?

Steve Trombley: That plan is projected on the screen.

AJ LaRosa: So prior to the approval, the previous application was incomplete. Do you know what the average height of buildings in the surrounding area is?

Steve Trombley: I used the condo building across the street as a reference point.

Scott Gustin: The condo building on North Avenue is within 10 feet of the public sidewalk, so the height requirements are based upon its street frontage on North Avenue. This is different than the proposed project, with the slope going up rather than down.

AJ LaRosa: Where did the plan, “not for construction,” come from?

Steve Trombley: This was the original design which was denied.

Caitlin Halpert: The maximum height allowance didn’t change with the ordinance amendment. Can you tell me about your understanding/interpretation of where the height is measured from?

Steve Trombley: Yes, the height is measured based on the average of each building elevation level.

Sean McKenzie: Are there exceptions to height allowance?

Scott Gustin: No, but there are some exclusions for multi-family/affordable housing projects. This is a single-family residence that is proposed though.

Leo Sprinzen: The variance for the setback is based upon the average of surrounding properties.

Scott Gustin: The neighboring properties are all through-lots with frontage along North Avenue and along Depot Street. They have two front yards, but the neighboring buildings are set up close to North Avenue. What we see as their rear yards are actually second front yards along Depot Street. This property does not have North Avenue frontage. The average front yard setback along Depot

Street is close to the rear property line of the subject property. That's the basis for the variance. It is impossible to build in compliance with setbacks.

Caitlin Halpert: So there's no standard that defines buildable area?

Scott Gustin: No, the 10 foot front yard setback was just a reasonable number. It could have been 5' or 15' but was requested and granted for 10.'

Brad Rabinowitz: How much separation is there between the top two floors? Is this for a better view overlooking the lake?

Steve Trombley: The goal is to give access from the uppermost level at the rear of the property to North Avenue. This would pull the building out and away from the steep slope.

Brad Rabinowitz: So this uppermost story is level with the upper portion of the slope?

Steve Trombley: Correct, the final height came to 62-feet to meet these project goals.

AJ LaRosa: Any additional questions from the board? We've given a substantial amount of time to this item, so we'll open it up to public comment.

Steve Trombley: To quantify what I was summarizing, it is pertinent to know what my variance responses look like compared to Scott Gustin's.

Geoff Hand: We've reviewed the supporting materials and will deliberate accordingly.

Susan Eisenstadt: I live on the second floor that overlooks this site. It is a unique site with a spectacular view.

Louise Brill: Are solar panels proposed as part of this design?

Steve Trombley: Yes, on the uppermost roof level, but not on the lower level tiers of the proposed design.

Sally Edith: What is the distance between our condo building on North Avenue and the parcel where development will be proposed on Depot Street?

Steve Trombley: About 40-50 feet.

Sally Edith: It seems like less than that.

Mark Johnson: I have nothing personal against Steve, but this proposal will block our direct view of the lake. I am wondering if the design could be brought down eight feet without turning it into a cave.

Steve Trombley: That's a fair concern. I've already gotten into trouble with this property due to the removal of trees measuring 30-40 feet in height.

Ginny Gillespie: I'm on the fourth floor, so this project won't impact my view, but I have concerns with the steep slope's ability to handle development on this site. We're not strangers to erosion that has occurred along North Avenue.

Steve Trombley: As part of this project, I've had soil engineers survey the property and take samples to ensure the possibility of developing this site.

Caitlin Halpert: I'd like to remind our audience that this application is for variance approval only and does not include development. If approved, development will fall under a separate application.

Elizabeth Christie: It's been stated that the envisioned height is based on having a good view of the lake and landscape, but I have not seen a presentation made for the hardship caused by this parcel. This parcel has always been on Depot Street, so the constraints remain unchanged.

Steve Trombley: I'd like to be as accommodating as I can.

AJ LaRosa: Do any additional members of the public wish to speak?

Sharon Bushor: This project complies with the steep slope ordinance, but when the soil was tested, was this done before or after the tree removal occurred? This should be a factor for anyone, including the abutters living around this property.

AJ LaRosa: I'd like to remind members of the public that this hearing is to address the appropriateness of the height variance, no development is proposed.

Rory Waterman: It is important to evaluate why the ordinance was changed to begin with, and how it impacts new developments like this.

Scott Gustin: The previous application to construct a home that was denied included a 10' front yard setback. The ordinance amendment that is getting so much air time tonight did not affect that application. The amendment affected height measurement methodology but did not affect height limits. It also changed the provision for measuring just the front of the building from 10' to 50.' With the proposed 10' front setback, the amendment had no impact on measurement.

Caitlin Halpert: Can you explain that?

Scott Gustin: The prior standard called for measuring building height based on just the front elevation for buildings within 10' of their frontage. Beyond that, building height is measured based on the average finished grade all the way around the building. The amendment changed 10' to 50,' but the denied home application proposed a 10' front setback and, so, was not affected by the amendment. I'm pretty good at what I do, and I do not withhold information from applicants.

Steve Trombley: I would disagree. The previous denial stems from point A to point B. This excludes the horizontal distance of the front of the building on the average finished grade between the property lines. This is actually based on the frontage from the street right-of-way. Most new development has the fifty foot provision, and I am disappointed that I wasn't given all the information needed. I'd rather have this board deliberate on another occasion to accept all the facts of this case, than make a hasty decision.

AJ LaRosa: I appreciate you reading this, we'll close the hearing on this item.

2. **ZP-23-164; 75 Cherry Street (FD6, Ward 3C) CityPlace Partners, LLC / Jesse Robbins**
Amendment to ZP-21-0414; revisions to level 9 & 10 related to additional dwelling units; addition of balconies. (Project Manager, Mary O'Neil)
Jesse Robbins, Sharon Bushor, and Dave Farrington: Sworn in

Leo Sprinzen: I am recused on this.

Geoff Hand: My firm represented a previous owner of this parcel, but I am able to make objective decisions.

AJ LaRosa: I would agree with Geoff Hand's position for representing previous owners, but I can be objective. Can you tell us about this project?

Mary O'Neil: To clarify, the changes are for the discretionary height.

Jesse Robbins: The project is changing what would previously have been a mechanical penthouse at the top of the building on the tenth floor and a restaurant below on the ninth floor. The proposed changes adds additional residential units with two story condos extending between the ninth and tenth floors. This constitutes a change of use

Mary O'Neil: The proposed amendment constitutes a change of use. There is a four-foot decrease in building height from the original 2017 approved permit.

Geoff Hand: Can you describe the setbacks?

Jesse Robbins: There were setbacks for the previously approved permit for the restaurant and mechanical space.

Brad Rabinowitz: Aren't these setbacks required as part of the form based code districts?

Mary O'Neil: Yes, and this amendment conforms to it.

Sharon Bushor: I understand the need for the change of use, but believe this is a misstep. It is a disappointment to remove the observation area as a public space amenity provided by this building's approved development.

Dave Farrington: There are still public assembly spaces within the building. Some of these changes were in response to liability for insurance requirements need to create a restaurant on the upper floor safe.

AJ LaRosa: Hearing no additional comments or questions, we'll close the hearing on this item.

3. Joint Institutional Parking Management Plan

Review of proposed 2023-2028 Plan. (Project Manager, Scott Gustin)

Sandy Thibault, Executive Director, CATMA, Karen Sentoff, VHB Consultant, Joshua Katz, Program Analyst, CATMA, Nic Anderson, Senior Director of Planning and Operations, Sharon Bushor, and Jamie Smith, Director of Transportation and Parking Services: Sworn in.

Geoff Hand: I don't believe our occasional work with these institutions would prevent our objectiveness, but I wanted to make it known.

Sandy Thibault: This five year amendment is subject to the amendments made to Article 8: Parking Regulations.

Karen Sentoff: I appreciate your time to discuss the 2023-2028 Joint Institutional Parking Management Plan (JIPMP). There are recommendations from the Planning Commission regarding the plan and its supporting supplements. The iteration of this plan includes peak parking demand, Transportation Demand Management (TDM) plans, projected deficits, and event parking management. The two methods include a standardized lot counts and quarterly lot counts to address consistency, and utilization trends. Employee and student transportation surveys was the other method used which generates a greater margin of error based on surveyed population.

AJ LaRosa: The DRB has seen a number of these, and we'd like to review the proposed changes. How does Champlain's TDM plan address peak demand?

Joshua Katz: The demand number shows that Champlain has a deficit in parking requirements needed, but the data is based on the higher peak levels, which are not the average.

AJ LaRosa: Part of the goal of TDM plans is to reduce the need for on site parking. Can you walk us through what has been incorporated into this plan to address this?

Geoff Hand: As a follow up, the staff report illustrates disconnect between what's existing and the strategies that will be implemented.

Karen Sentoff: We can apply these measures into the future. A couple of these are the Bikeshare System and CarShare programs. This plan has been developed to monitor survey instruments to target the effectiveness of this data and report it effectively. The Citywide TDM plan will also develop strategies.

Joshua Katz: Green Mountain Transit (GMT) will also utilize data to support this initiative.

Sandy Thibault: Micro transit is an emerging measure that we're hoping to implement.

Geoff Hand: In addition to this report, I think we need to see a detailed matrix for tracking the participants that contribute to this data. We need to quantify what's working and where there's room for improvement.

AJ LaRosa: We're being presented with a lot of data, which can be beneficial, but we need to identify where the deficit is and how to track the presented strategies. I am not ready to approve this plan until it can be shown empirically.

Caitlin Halpert: We also need to be able to track this with the included TDM plan.

Sean McKenzie: Measures like the TDM plan addresses the approach to event specific parking, which peaks parking demand.

Leo Sprinzen: Staff at UVM Medical Center often park offsite and get shuttled to the hospital. Do you foresee shuttling continuing into the future?

Karen Sentoff: We do not foresee any significant changes.

Nic Anderson: We got to a point where there was too much data in the TDM plan. We were advised to provide higher level information and trends rather than each individual ridership characteristic.

Geoff Hand: We're concerned with both factors. I'd like to see a matrix of TDM measures and how they can be measured for effectiveness.

Nic Anderson: A new development is the use of E-bikes which contributes to the substantial effectiveness of TDM plans.

Caitlin Halpert: We're reducing the demand for parking, and we consider this successful when the demand falls below what's existing.

Sharon Bushor: I am supportive of the recommendations set forth. The night staff at UVM Medical Center can park on campus, but the day shift has more satellite parking options due to the demand. Data for single-occupancy vehicles has remained stagnant. There's some accountability needed in the flaws of the TDM plan for policies set forth by the institutions.

Jamie Smith: I would like to disclose that one of the biggest changes in single-occupancy vehicles is telework driven by the pandemic which reduced parking demand. I agree that the reporting needs to be more robust.

AJ LaRosa: Motioned to continue to a date to be determined, Geoff Hand 2nd. Vote 6-0. Motion carried.

V. Certificate of Appropriateness

1. ZP-23-205; 655 Spear Street (I, Ward 6S) University of Vermont / State Agricultural College / Claire Forbes

Proposed construction of a parking lot (162 spaces) following the demolition and removal of the BioResearch Laboratory building. (Project Manager, Mary O'Neil)
Claire Forbes, Adam Frazier, and Jamie Smith: Sworn in

AJ LaRosa: Scott, to clarify, our review is limited here?

Scott Gustin: Correct.

Adams Frazier: The Bioresearch facility has been demolished and is waiting to be reseeded. The expanded parking will allow for electrical fleet parking which will consolidate the number of fleet vehicles to a single location. The goal is to have enough parking for fleet vehicles, service vehicles, and additional employee parking.

AJ LaRosa: Has anyone looking into the traffic changes that would occur by turning this site into a parking lot?

Adam Frazier: Our understanding is the impact will be minimal.

Geoff Hand: Can you expand on the need for this new amount of parking?

Claire Forbes: Yes, the area around central campus core is pedestrian oriented and streamlined. By diverting parking outside the campus core, it frees up additional space for housing and other related projects.

Jamie Smith: From an operational perspective, moving a scattered fleet to a centralized location creates shared opportunities.

Geoff Hand: Will there be shuttling service from the main campus to this location?

Adam Frazier: No, not at this time.

Geoff Hand: What happens if someone utilizes an alternative form of transportation like bus or bike?

Adam Frazer: We will have bike racks available in this area.

AJ LaRosa: I have concerns over the removal of shade trees.

Mary O'Neil: The shade trees meet the standard set in the ordinance.

AJ LaRosa: The concern stems from the heat index by the loss of shade trees. Trees on the periphery will not shield the lot. Was a traffic study completed to evaluate the traffic impacts on Spear Street?

Claire Forbes: We did look at this as part of our state permitting, but it was not seen as a requirement from the state perspective.

Scott Gustin: A traffic study is required when at least 75 new peak hour trip ends will be generated.

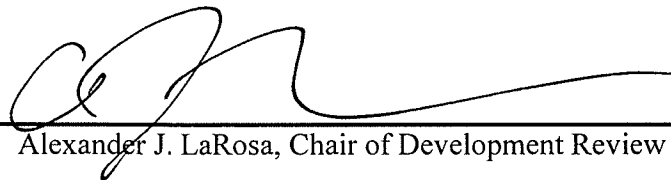
Claire Forbes: We looked at ACT 245 and ACT 250 as part of the state permitting process.

Geoff Hand: To understand the relationship, will there be issues approving this project before the TDM plan is approved?

AJ LaRosa: Hearing no additional comments or questions, we'll close the hearing on this item and enter deliberative session.

VI. Adjournment

Hearing closed at 7:30 PM.



Alexander J. LaRosa, Chair of Development Review Board

6/20/23
Date

Joseph H. Cava

6-8-23

Joseph H. Cava, Permitting & Inspections Permit Technician

Date

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