

Burlington Planning Commission

149 Church Street
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www.burlingtonvt.gov/pz

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



Burlington Planning Commission Tuesday, March 28, 2017, 6:30 P.M. Conference Room 12, City Hall, 149 Church Street **AGENDA**

Note: times given are
approximate unless
otherwise noted.

I. Agenda

II. Public Forum - Time Certain 6:30 p.m.

III. Report of the Chair

IV. Report of the Director

V. Presentation- Youth Board Member (10 min)

Eamon Dunne, a student at Burlington High School, has applied to participate as the Youth Member of the Planning Commission. During the meeting, Eamon will provide a presentation to introduce himself to the Commission and discuss his interest in participating on the Planning Commission.

VI. Presentation- Regional Bike Share Pilot (20 min)

Nic Anderson, Associate Director of Sustainable Transportation for Champlain College, will provide a presentation on a Regional Bike Share Pilot that is anticipated to launch in Summer 2017. This pilot will advance a goal of the City's draft planBTV Walk/Bike and of UVM and Champlain College's respective Active Transportation Plans, and supported by a 2011 Bikeshare Study conducted by Local Motion and CATMA's goals to enhance transportation options for its users. Materials regarding this pilot are included in the agenda packet on pages 3-11.

VII. Proposed ZA-17-10 Green Roof Lot Coverage (15 min)

The proposed amendment to the *Burlington Comprehensive Development Ordinance* provides guidance on how to calculate lot coverage for green roofs when they are constructed at grade, partially at grade, and above grade. A recommendation from the Commission's Ordinance Committee is included in the agenda packet on pages 12-13.

VIII. Proposed ZA-17-12 CDO Technical Corrections (20 min)

The proposed amendment to the Burlington Comprehensive Development Ordinance addresses a number of errors and omissions discovered by staff and project applicants through the daily implementation of the ordinance. Staff recommends this amendment as a "housekeeping" ordinance to correct these errors simultaneously. Staff will discuss these amendments, including the one tied to the enclosed communication from City Market regarding lighted signage in the E-LM district. Information related to this amendment is included in the agenda packet on pages 14-38.

This agenda is available in alternative media forms for people with disabilities. Individuals with disabilities who require assistance or special arrangements to participate in programs and activities of the Dept. of Planning & Zoning are encouraged to contact the Dept. at least 72 hours in advance so that proper accommodations can be arranged. For information, call 865-7188 (865-7144 TTY). Written comments may be directed to the Planning Commission at 149 Church Street, Burlington, VT 05401.

Planning Commission Agenda
March 28, 2017
Page 1 of 45

IX. Committee Reports

X. Commissioner Items

XI. Minutes & Communications

The Commission will review and approve the minutes of the February 28, 2017 meeting, enclosed on pages 39-41 of the agenda and communications on pages 42-45.

XII. Adjourn

Next Meeting: April 11, 2017 @ 6:30pm in Conference Room 12, City Hall

Regional Bike Share Pilot

2017 Launch



Planning Commission Agenda
March 19, 2017
PLEASE NOTE: Mock-up shown for reference.
Page 3 of 45

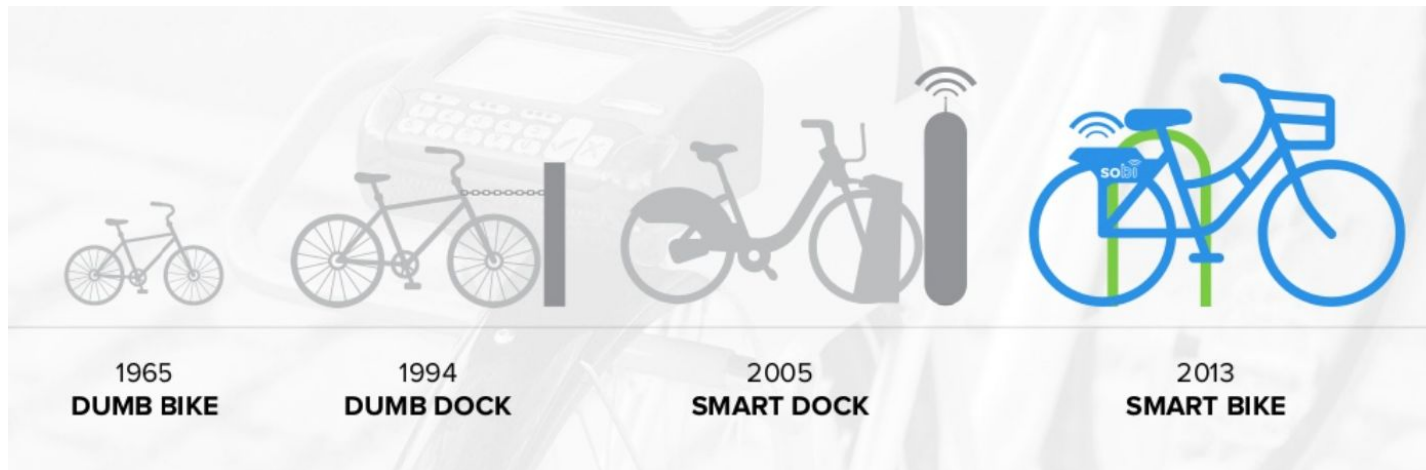


WHY BIKE SHARE?

BIKE SHARE PROGRAMS ARE SPREADING ACROSS THE U.S.

There are over 50,000 shared bikes in 100+ urban areas, up from just a handful of programs in 2010. In addition, more than 30 colleges / universities have rolled out bike share programs.

More and more bikeshares systems have “smart bikes” which can help overcome a lot of barriers such as system flexibility and costs.



According to the National League of Cities' Center for Research & Innovation, **benefits of bike share programs include:**

- Low-cost public transit option for users
- Cost-effective infrastructure investment for cities
- Reduced congestion and wasted fuel
- Improved access to jobs
- Higher retail exposure and home values
- Increased connectivity and physical activity
- Decreased air pollution



THE MISSION...

TO TRANSFORM OUR REGION BY PROVIDING A HIGH QUALITY, CONVENIENT AND AFFORDABLE BIKESHARE SYSTEM THAT WILL CONNECT PEOPLE TO MORE PLACES WHERE THEY LIVE, WORK, AND PLAY IN CHITTENDEN COUNTY BY:

- Enhancing transportation options and connectivity
- Providing an affordable transportation option
- Improving access (in all senses of the word)
- Reducing car dependence
- Improving individual and community health
- Providing first/last mile connections
- Reducing greenhouse gas emissions
- Increasing new bike ridership and ownership

●●● THIS IS NOT “NEW STUFF”

Champlain College, UVM and City of Burlington Employees already have “bike library” bikeshare systems.

Bikeshare has been studied, anticipated and encouraged through previous City and institution planning efforts:

- Plan BTV Walk/Bike (snips from draft below),
- UVM Active Transportation Plan,
- Champlain Active Transportation Plan
- 2011 Bikeshare Study by Local Motion
- CATMA goal of enhancing transportation options



●●● PLAN BTV WALK/BIKE



*Bike Share station in Aspen, CO.
(Photo by Frias Properties of Aspen.)*

#7: Implement a robust bicycle sharing system.

Work with key institutional partners such as the University of Vermont and Champlain College to create a public bicycle share program. The first step is to build from the 2011 Chittenden County Bike Share Feasibility Study to conduct a detailed, localized study to guide implementation. The study should recommend a preferred fleet system and include detailed guidance on station locations, with a phased plan for roll out. It should also provide recommendations related to funding and maintenance. Once a detailed study has been completed, Burlington should seek program funding through public health and transportation organizations, as well as local corporate and foundation sponsors. Once funding is solidified, Burlington can implement a cost-effective, high-density, equitable bike share system for Burlington's residents and visitors.

#4: Expand Use of Pilot and Demonstration Projects

City Ordinance allows the Department of Public Works to implement temporary traffic and parking projects on all public streets, making use of short-term or "pilot projects" to evaluate the merits and impacts of proposed street design projects. Currently, pilot projects may be in place for up to 30 days. This time period should be extended to allow for pilots up to 12 months in duration, with the option for the use of more durable (but still removable) interim design measures in the 1-5 year time frame.

At the shorter end of the time scale, Burlington is working to develop a guide and policy to make it easier for everyday residents, advocacy organizations, and community groups to spearhead 1-7 day "demonstration projects" alongside DPW and

Excerpt from page 60...

"*Note that the target timelines listed above assume the City leads this effort. If the City is able to serve as a leader and convener, but approach bike share implementation with a coalition of highly involved partners, implementation can and should be expected to occur much faster."



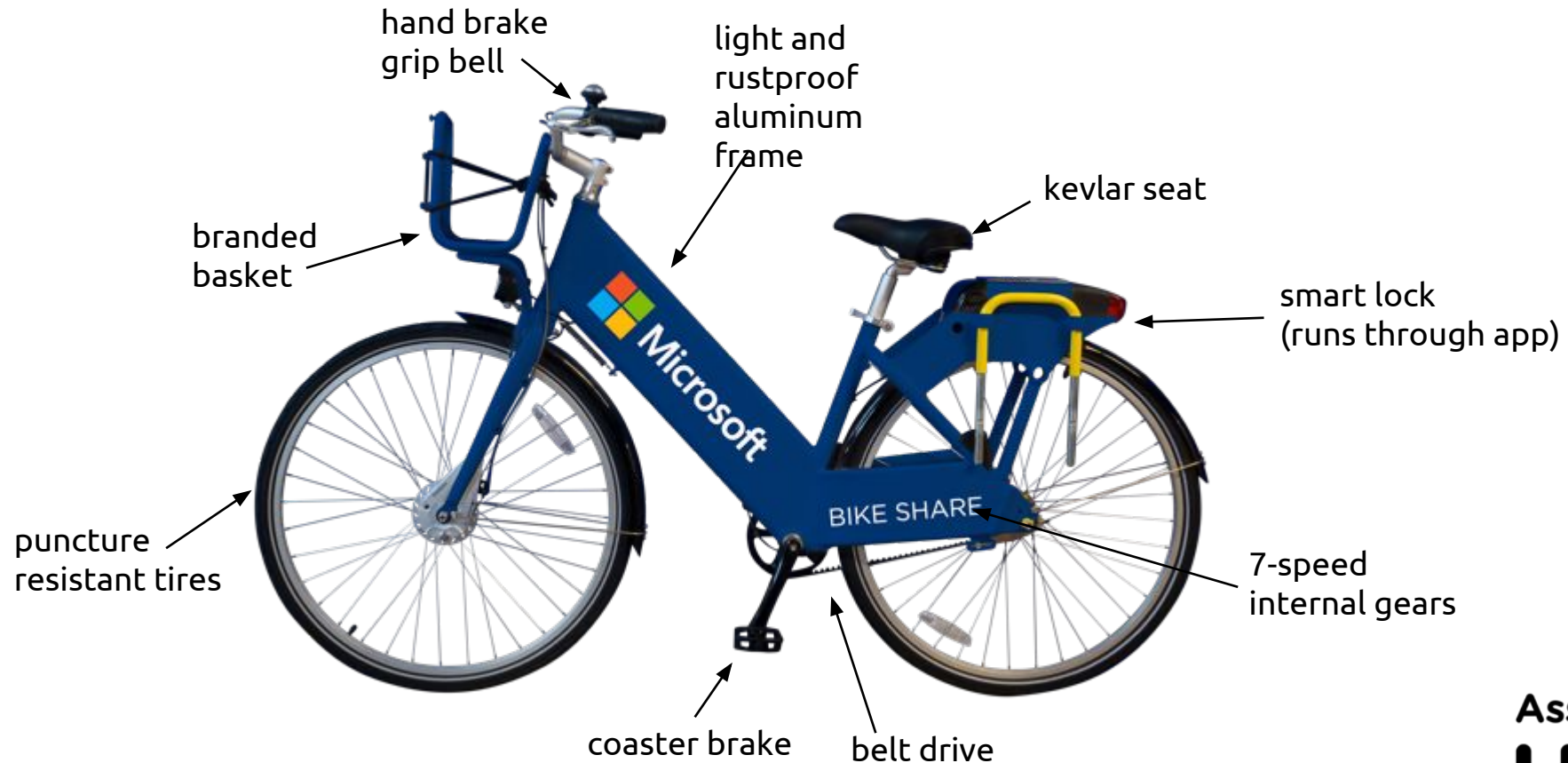
Photo by Julie Campoli.

●●● WHAT IS GOTCHA BIKE?

INNOVATIVE TECHNOLOGY: The first bike share program that runs completely through a smartphone app/computer.

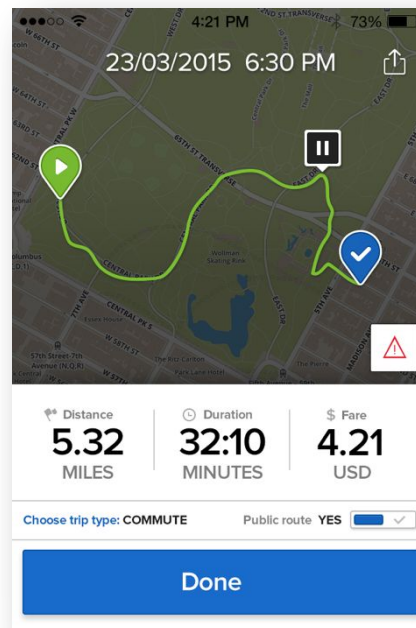
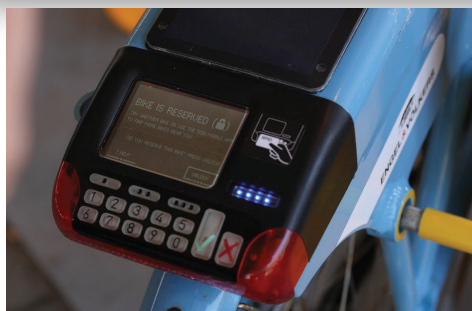
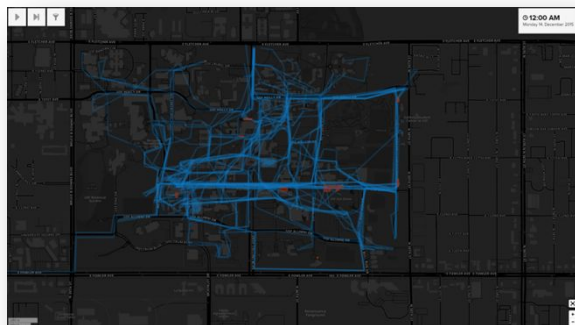
FULLY CUSTOMIZABLE: Sponsors brand on wheels! Gotcha Bikes offer maximum branding space and exact Pantone color matching.

TURN-KEY SOLUTION: Gotcha manages all maintenance, operations and 24/7 rider support to ensure a successful system.



PLEASE NOTE: Mock-up shown is only for reference.

DATA CAPTURE & REPORTING



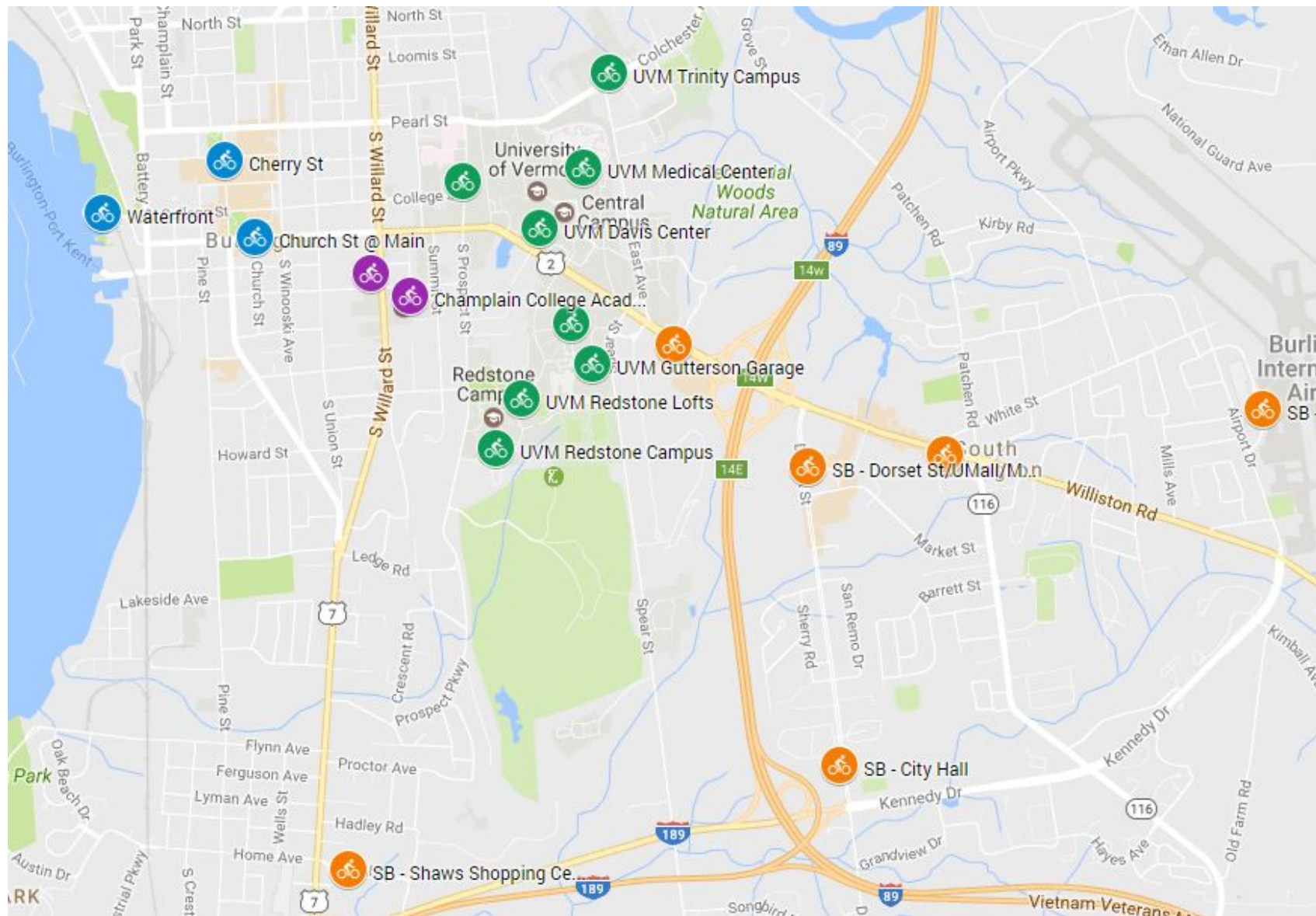
**Smart GPS enabled bikes that show location at all times.
Riders have the ability to view the following statistics:**

- Miles traveled
- CO2 reduced
- Calories burned
- Money saved versus driving

Admin have access to detailed ride data, including:

- Number of users
- Trips per day
- Total distance traveled (by member, week, month, year, etc.)
- Heat map (most heavily traveled routes)
- Frequency of trips by time of day
- Rentals by hub location (origin and destination)

●●● PHASE 1 - DRAFT MAP



Phase 1

- 110 bikes in 18 hubs (25 E-bikes)
- Majority of hubs on UVM and Champlain campus
- A few hubs in key locations in Burlington

Phase 2

- Approx. 200 additional bikes in approx. 50 hubs
- All over Burlington, S. Burl and Winooski
- Primarily serving residents, commuters and employees

●●● NEXT STEPS

WHERE ARE WE AT?

- Finalizing initial agreement
- Sourcing sponsorship
- E-bike development
- Developing program specifics (rates, service etc)
- Continuing to discuss with all stakeholders
- Hub location planning
- Anticipated pilot launch date Summer 2017



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Burlington Planning Commission Report Municipal Bylaw Amendment Revised DRAFT

ZA-17-10 Green Roof Lot Coverage

This report is submitted in accordance with the provisions of 24 V.S.A. §4441(c).

Explanation of the proposed bylaw, amendment, or repeal and statement of purpose:

The purpose of this proposed amendment is to define green roofs and create clear guidelines for how lot coverage is calculated on sites with buildings which are constructed with a green roof. At-grade green roofs will be counted as open space, above-grade green roofs count as lot coverage, and partially at/above grade green roofs will be counted as lot coverage at a ratio commensurate with the intensity of the roof system. If a partially at grade roof is constructed with an intensive green roof system, 50% of the entire roof area is counted as lot coverage, whereas if it is constructed with an extensive green roof system, 75% of the entire roof area is counted as lot coverage.

Conformity with and furtherance of the goals and policies contained in the municipal development plan, including the availability of safe and affordable housing:

This proposed amendment does not impact the goals and policies related to the provision of safe and affordable housing contained within the Municipal Development Plan.

Compatibility with the proposed future land uses and densities of the municipal development plan:

This proposed amendment clarifies how lot coverage is calculated for green roofs. It is compatible with proposed future land uses and densities contained within the Municipal Development Plan in that it largely preserves existing lot coverage as defined in the *Burlington Comprehensive Development Ordinance*. Only those portions of buildings with green roofs fully at-grade are considered open space, and only some portion of buildings that are partially above grade can receive lot coverage credits, if they are constructed with green roof systems that provide essential stormwater benefits to the community and the sites on which they're located.

Implementation of specific proposals for planned community facilities:

This proposed amendment does not implement a plan for community facilities.

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Mary O'Neil, AICP, Principal Planner
Ryan Morrison, CFM, Associate Planner
Anita Wade, Zoning Clerk
vacant, Department Secretary



TO: Planning Commission
FROM: Scott Gustin
DATE: March 28, 2017
RE: Green Roofs & Lot Coverage

At the direction of the Planning Commission, the Ordinance Committee reevaluated the pending zoning amendment to afford a degree of lot coverage credit for green roofs. The revised amendment incorporates the following:

- A set lot coverage credit
- Recognizes extensive vs. intensive green roofs
- Defines "green roof"

At its March 9, 2017 meeting, the Ordinance Committee voted to send the revised amendment back to the full Planning Commission for its consideration.

Proposed Ordinance Language:

Sec. 5.2.3, Lot Coverage Requirements

(b) Exceptions to Lot Coverage

(1)-(8) as written.

- (9) For the purposes of lot coverage calculations, at-grade green roofs shall be counted as open space, and above-grade green roofs shall be counted as lot coverage. Partially at-grade green roofs shall be counted as lot coverage as follows:
- i. Intensive green roofs will be counted at 50% lot coverage of their total roof area.
 - ii. Extensive green roofs will be counted at 75% lot coverage of their total roof area.
 - iii. Walkways, equipment, and other un-vegetated areas within the green roof shall not receive lot coverage credit.
 - iv. These lot coverage exceptions are contingent on continued maintenance and functionality of the green roof.

ARTICLE 13: DEFINITIONS

Green roof: A contained green space planted over a synthetic waterproofed membrane created by adding layers of growing medium and plants on top of a traditional roofing system which also includes a layer for drainage. The green space on the roof may partially or completely cover the traditional roofing system. There are two types of green roofs: extensive and intensive. Extensive green roofs generally have a growing medium depth of less than six inches, require little maintenance, and are lightweight. Intensive green roofs typically have a growing medium depth of more than six inches, require more frequent maintenance, and are heavier than extensive green roofs. In order to be classified as an intensive green roof for lot coverage credit the green roof must have a minimum growing medium depth of six inches.

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Burlington Planning Commission Report Municipal Bylaw Amendment

DRAFT

ZA-17-12 CDO Technical Corrections

This report is submitted in accordance with the provisions of 24 V.S.A. §4441(c).

Explanation of the proposed bylaw, amendment, or repeal and statement of purpose:

The purpose of this proposed amendment is to correct and address a number of “housekeeping” items throughout the *Burlington Comprehensive Development Ordinance* that have been discovered by staff and applicants through the daily implementation of the ordinance. None of these items establish new policy direction, and most of them simply address omissions or tie up loose ends from prior zoning amendments.

Conformity with and furtherance of the goals and policies contained in the municipal development plan, including the availability of safe and affordable housing:

None of these items establish new policy, and therefore have no impact on the goals and policies related to provision of safe and affordable housing in the Municipal Development Plan.

Compatibility with the proposed future land uses and densities of the municipal development plan:

None of these items establish new policy, and therefore have no impact on the proposed future land use and densities in the Municipal Development Plan.

Implementation of specific proposals for planned community facilities:

None of these items establish new policy, and therefore have no impact on proposed community facilities.

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Anita Wade, Zoning Clerk
vacant, Department Secretary



TO: Planning Commission
FROM: Scott Gustin
DATE: March 28, 2017
RE: Technical corrections and clean up to the CDO

The proposed zoning amendments below come from a running list of “housekeeping” items to correct/address in the Comprehensive Development Ordinance. Most of these items have come to light during the course of daily implementation of the ordinance by staff. Some of them have come as requests from the public. None of them establish new policy direction, and most of them simply fill in holes or tie up loose ends from prior zoning amendments. Most of the amendments below were reviewed by the Planning Commission Ordinance Committee as part of their discussion of FY '17 priorities at their September and October, 2016 meetings.

Each amendment is identified numerically with *italics*. New language is underlined in red, and deleted language is ~~crossed out~~.

Item 1) Include statutory reference to protections for solar collectors, clotheslines, or other energy devices based on renewable resources.

Sec. 3.1.2 Zoning Permit Required

Except for that development which is exempt from a permit requirement under Sec. 3.1.2(c) below, no development may be commenced within the city without a zoning permit issued by the administrative officer including but not limited to the following types of exterior and interior work:

(a) Exterior Work:

As written.

(b) Interior work:

As written.

(c) Exemptions:

The following shall be exempt from the requirements of this Ordinance and shall not be required to obtain a zoning permit:

1. Exterior modifications to a single family dwelling in a non-design review portion of the RL zoning district lawfully in existence prior to the adoption of this ordinance on a conforming lot, and not on or eligible for listing on the State or National Register of Historic Places. Such an exemption shall not be applicable to any of the following changes, which do require a zoning permit:

- A. Increased lot coverage;

- B. Increased habitable living space;
 - C. Changes in setbacks or building footprints; and
 - D. Construction of additional stories to an existing structure.
 - E. Improvements in a Special Flood Hazard Area.
2. The removal of trees from any lot containing a single family home or duplex which consists of no more than three-quarters (3/4) of one acre.
 3. Individual tree removal projects that are included under an approved and valid “tree maintenance plan”.
 4. The maintenance or repair of any exterior architectural feature, or its replacement in-kind, which does not involve a change in the location, design, material, or the outward appearance of the feature;
 5. Temporary ramps to serve the handicapped or disabled, for a period of not more than 90 days.
 6. Public utility power generating plants and transmission facilities regulated under 30 V.S.A. §248.
 7. 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. Prior to the construction of farm structures the farmer must notify the Administrative Officer in writing of the proposed activity. The notice must contain a sketch of the proposed structure including setbacks.
 8. The temporary stabilization and securing of any structure, site, or building feature required to address an unsafe or dangerous condition which poses an imminent threat to public safety pursuant to a written order of the same issued under the authority of the city building inspector.
 9. Where temporary stabilization is not reasonably available the emergency demolition of any structure, site, or building feature required to address an unsafe or dangerous condition which poses an imminent threat to public safety pursuant to a order of the same issued under the written authority of the city building inspector and with the written concurrence of the city engineer. This exemption does not extend beyond the required demolition, clearing of debris, securing or filling cellar holes, and related erosion control and stormwater management.
 10. All structures of 24 square feet or less and no taller than 15 feet, as long as they are located in compliance with applicable setbacks. This exemption is limited to 1 such structure, or multiple structures in aggregate up to 24 square feet, per property. This exemption does not apply to properties located within the Special Flood Hazard Area.
 11. Children’s play structures.
 12. Temporary Structures or Uses as per Sec. 5.1.2 (f).
 13. Urban agricultural exemptions:

- A. Cold frames of 6 feet in height or less. This exemption does not apply to properties located within the Special Flood Hazard Area.
- B. Up to 2 seasonal hoop houses, each 200 square feet or less, without foundations and as long as they are located in compliance with applicable setbacks. This exemption applies only to seasonal hoop houses that are sheathed in translucent plastic or similar material for a maximum of 9 months per year and are maintained in an intact condition. The frame may remain in place year-round. This exemption does not apply to properties located in the Special Flood Hazard Area.
- C. Urban agricultural uses or structures located on building rooftops.
- D. Sale of food produced onsite or at an individual's community garden plot not to exceed \$1,000 per year. Food may be processed within the individual's residential kitchen.

14. Per Act 45: Sec. 15c. 24 V.S.A. § 4413(g), notwithstanding any provision of law to the contrary, nothing in this ordinance shall prohibit or have the effect of prohibiting the installation of solar collectors, clotheslines, or other energy devices based on renewable resources.

(d) Determination of Non-Applicability:

As written.

Item 2) Include NAC-CR and NMU in Table 4.4.2-2.

Sec. 4.4.2 Neighborhood Mixed Use Districts

Table 4.4.2 -2: Maximum FAR and Building Heights with Bonuses		
	Maximum FAR	Maximum Height
NAC	3.0 FAR	45 feet
NAC-Riverside	3.0 FAR	45 feet
<u>NAC-Cambrian Rise</u>	<u>2.5 FAR</u>	<u>75 feet</u>
<u>NMU</u>	<u>2.5 FAR</u>	<u>45 feet</u>

Item 3) Include WRL and WRM in Table 4.4.5-1.

Sec. 4.4.5 Residential Districts

Table 4.4.5-1: Minimum Lot Size and Frontage: RL, RL-W, RM and RM-W²				
Use	Lot Frontage¹		Lot Size	
	<i>(linear feet)</i>		<i>(square feet)</i>	
	RL, WRL	RM, WRM	RL, <u>WRL</u>³	RM, <u>WRM</u>
Single detached dwelling	Min: 60'	Min: 30'	Min: 6,000	NA
Duplex and above			Min: 10,000	

1. The DRB may adjust the frontage requirements for lots fronting on cul-de-sacs, multiple streets, or corner lots reflecting the existing neighborhood pattern on each respective street.
2. There are no minimum lot size or frontage requirements in the RH District.
3. Exception: Larger minimum lot size in RL and WRL larger lot overlay district; refer to Section 4.5.5 & Table 5.5-1.

Item 4) Correct reference to Sec. 5.2.6.

Sec. 4.5.2 Institutional Core Campus Overlay Districts

(c) District Specific Regulations: University of Vermont Medical Center (ICC-UVMMC);

5. Building Height

No portion of any building within the ICC-UVMMC Height Overlay (as delineated on Map 4.5.2-3 ICC-UVMMC Height Overlay) shall exceed the elevation of a plane running parallel to the earth at 540-feet above mean sea level. The provisions of Sec. 5.2.5~~6~~ Building Height Limits shall not be applicable within the ICC-UVMMC Height Overlay.

Item 5) Clarify title of Sec. 4.4.6 (d) 1 and make reference to statutory exemption.

Sec. 4.4.6 Recreation, Conservation, and Open Space Districts

(d) District Specific Regulations

The following regulations are district-specific exemptions, bonuses, and standards unique to the RCO districts. They are in addition to, or may modify, city-wide standards as provided in Article 5 of this ordinance and district standards as provided above in Tables 4.4.6-1 and 4.4.6-2.

1. Lot Coverage ~~Exemption~~ for Agricultural Structures.

The maximum allowable coverage may be increased to ten percent (10%) in the RCO-Agricultural District for agricultural structures not otherwise exempted from zoning review under V.S.A. 24 Sec. 4413 (d), subject to approval by the DRB.

Item 6) Remove conditional use requirement in Sec. 4.5.4. Originally missed in ZA-15-02.

Sec. 4.5.4 Natural Resource Protection Overlay (NR) District

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

1. Permitted Uses:

As written.

2. Prohibited Uses:

As written.

3. ~~Conditional Uses~~ Regulated Uses:

Except where otherwise noted herein, all uses permitted or conditionally permitted in the respective underlying zoning district, including any construction of buildings or other structures, and roads, parking areas or any other impervious surface, may be approved only within the Riparian and Littoral Conservation Zone and its associated

buffer after review and approval pursuant to the ~~Conditional Use review provisions of Article 3 and subject to the requirements and limitations below under Subpart 4.~~

4. Requirements:

As written.

(d) District Specific Regulations: Wetland Conservation Zone:

1. Additional Application Requirements

As written.

2. Permitted Uses:

As written.

3. Prohibited Uses:

As written.

4. ~~Conditional Uses~~ Regulated Uses:

Except where noted herein, all uses permitted or conditionally permitted in the respective underlying zoning district, including the list of activities below, may be approved within a wetland and its buffer zone after review and approval pursuant to ~~the Conditional Use Review provisions of Article 3 and subject to the requirements and limitations set forth below under Subpart 6 below.~~

- A. The construction of buildings or other structures, and roads, parking areas or other impervious surface;
- B. Any form of drainage, dredging, excavation, or removal of material either directly or indirectly;
- C. Alteration or modification of natural drainage patterns, natural features and contours;
- D. Installation of docks, rip-rap or other shoreline stabilization features;
- E. Installation of utility poles or utility service lines, underground pipes or cable conduits, and wells;
- F. Cutting of greater than 25 percent of the trees six inches or more in diameter at breast height over any 10 year cycle;
- G. Construction, expansion or placement of any structure;
- H. Construction or expansion of roads, rail lines parking areas, trails, and sidewalks;
- I. Introduction of any form of pollution, including but not limited to the installation of a septic tank, the running of a sewer outfall, or the discharge of sewage treatment effluent or other liquid wastes into or so as to drain into a wetland;
- J. The construction of a stormwater outfall as part of a stormwater management plan approved by the city engineer. In making determinations and decisions required herein, the city engineer shall consider the requirements of the most recent State of Vermont Stormwater Management Rules and Guidance document. The city engineer shall require the best practicable means be used to manage stormwater and prevent erosion and control sediment and the city engineer is hereby authorized to

develop performance standards to ensure conformance with these state stormwater management rules; and,

- K. Application of pesticides performed by an applicator certified by the Vermont Department of Agriculture for the sole purpose of controlling invasive species and subject to the requirements of the City's pesticide application ordinance (Burlington Code of Ordinances, Chapter 17, Section 9). In no other cases shall pesticides be applied.

(e) District Specific Regulations: Natural Areas Zone:

1. Additional Application Requirements

As written.

2. Permitted Uses:

As written.

3. Prohibited Uses:

As written.

4. ~~Conditional Uses~~ Regulated Uses:

Except where noted herein, all uses permitted or conditionally permitted in the respective underlying zoning district, including the list of activities below, may be approved after review and approval pursuant to the Conditional Use provisions of Article 3 and subject to the requirements and limitations set forth below under subpart 5.

- A. The construction of buildings or other structures, and roads, parking areas and any other impervious surfaces;
- B. Land disturbing activities (i.e., vegetation has been removed, or the landscape has been graded or filled resulting in bare soil surfaces) not associated with a permitted or conditionally permitted use. Land disturbing activities which expose 5,000 or more square feet of soil (i.e., vegetation has been removed, or the landscape has been graded or filled resulting in bare soil surfaces) are prohibited except where a stormwater management, erosion prevention and sediment control plan has been reviewed by the Burlington Conservation Board and approved by the city engineer;
- C. Any form of drainage, dredging, excavation, or removal of material either directly or indirectly;
- D. Alteration or modification of natural drainage patterns, natural features and contours;
- E. Installation of docks, rip-rap or other shoreline stabilization features;
- F. Installation of utility poles or utility service lines, underground pipes or cable conduits, and wells;
- G. Cutting of greater than 25 percent of the trees six inches or more in diameter at breast height over any 10 year cycle;
- H. Construction, expansion or placement of any structure;

- I. Construction or expansion of existing roads, parking areas, trails, and sidewalks;
- J. Introduction of any form of pollution, including but not limited to the installation of a septic tank, the running of a sewer outfall, or the discharge of sewage treatment effluent or other liquid wastes into or so as to drain into a wetland;
- K. The construction of a stormwater outfall as part of a stormwater management plan approved by the city engineer. In making determinations and decisions required herein, the city engineer shall consider the requirements of the most recent State of Vermont Stormwater Management Rules and Guidance document. The city engineer shall require the best practicable means be used to manage stormwater and prevent erosion and control sediment and the city engineer is hereby authorized to develop performance standards to ensure conformance with these state stormwater management rules;
- L. Application of pesticides performed by an applicator certified by the Vermont Department of Agriculture for the sole purpose of controlling invasive species and subject to the requirements of the City's pesticide application ordinance (Burlington Code of Ordinances, Chapter 17, Section 9). In no other cases shall pesticides be applied; and,
- M. Agricultural and silvicultural activities following Best Management Practices for the Protection of Water Quality including but not limited to housing of livestock, manure storage, pasturing livestock, growing crops, and compost storage, but excluding residential backyard compost storage.

5. Criteria for Review:

As written.

(f) District Specific Regulations: Special Flood Hazard Area:

1. Additional Application Requirements

The following information shall be submitted in addition to the applicable requirements of Article 3 for any development proposed within a Special Flood Hazard Area:

- A. Base flood elevation data for all subdivision proposals and other proposed new developments containing more than fifty (50) lots or covering more than five (5) acres;
- B. The elevation, in relation to mean sea level, of the lowest floor, including basement, of all new construction or substantial improvements of structures;
- C. Confirmation if such structures contain a basement; and
- D. The elevation, in relation to mean sea level, to which any structure has been flood proofed.
- E. A Vermont Agency of Natural Resources Project Review Sheet for the proposal should be filled out. The Project Review Sheet should identify all State and Federal agencies from which permit approval is required for the proposal, and shall be filed as a required attachment to the City permit application. The identified permits, or letters indicating that such permits are not required, shall be submitted to the Administrative Officer and attached to the permit application before work can

begin.

In addition, the DRB shall require of the applicant any of the following information deemed necessary for determining the suitability of the particular site for the proposed use:

- F. Plans in triplicate, drawn to scale, showing the location, dimensions, contours and elevation of the lot; the size and location on the site of existing and/or proposed structures, fill or storage of materials; the location and elevations of streets, water supply and sanitary facilities; and the relationship of the above to the location of the channel, floodway and base flood elevation where such information is available;
- G. A typical valley cross-section showing the channel of the stream, elevation of land areas adjoining each side of the channel and cross-sectional areas to be occupied by the proposed development;
- H. A profile showing the slope of the bottom of the channel or flow line of the stream; and
- I. Specifications for building construction and materials, flood proofing, mining, dredging, filling, grading, paving, excavation or drilling, channel improvement, storage of materials, water supply and sanitary facilities.

2. Permitted Uses in Floodway Areas

The following open land uses shall be permitted within the floodway areas to the extent that they are permitted or conditionally permitted in the underlying zoning district, and provided that they do not require the erection of structures or storage of materials and equipment, the borrowing of fill from outside the floodway area, or channel modification or relocation, and do not obstruct flood flows, nor result in any increase in flood levels during the occurrence of the base flood discharge, decrease the water-carrying capacity of the floodway or channel, or increase off-site flood damage potential:

- A. Agricultural uses, such as general farming, pasture, orchard, and grazing, outdoor plant nurseries, truck farming, and forestry;
- B. Recreation uses, such as parks, camps, picnic grounds, tennis courts, golf courses, golf driving ranges, archery and shooting ranges, hiking and riding trails, hunting and fishing areas, game farms, fish hatcheries, wildlife sanctuaries, nature preserves, swimming areas and boat launching sites; and/or
- C. Accessory residential uses, such as lawns, gardens, and parking areas.

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

- A. All those permitted open space uses as listed in Section 4.5.4.(f).2 above shall be permitted in the Special Flood Hazard Areas.
- B. All other uses permitted in the underlying zoning district are permitted only upon ~~the granting of a conditional use~~ review and approval by the DRB as per ~~Article 3~~ subpart 7 below.

4. – 10.

As written.

Item 7) Require clear sight triangle as part of general city standards so that it applies in non-design control areas of the city. Presently, its location in Article 6 precludes its effectiveness for non-design control properties.

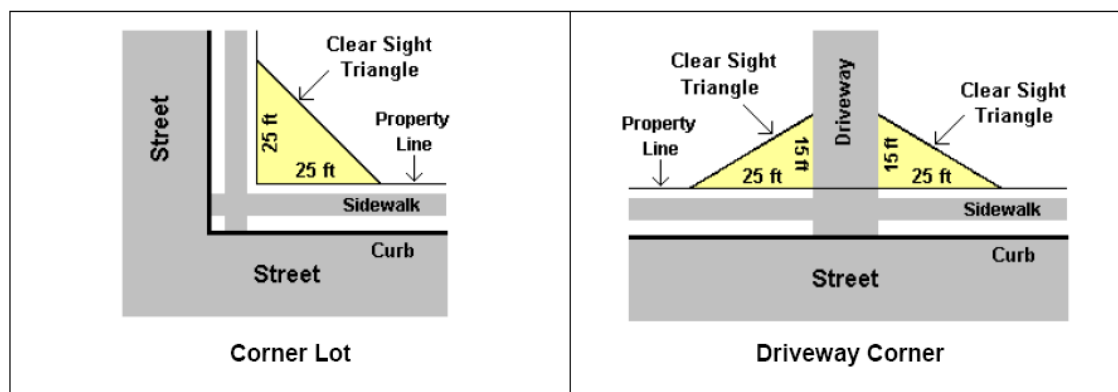
Sec. 5.2.6 Building Height Limits

(a) – (c)

As written.

(c) Clear Sight Triangle

1. Fences placed within a clear sight triangle along driveways and at street intersections, or between an existing building and the front property line, whichever is less, shall be limited to 3-feet in height above the curb in order to provide safe sight distances for pedestrians and vehicles.



Item 8) Remove conditional use requirement within Sec. 5.3.6. Originally missed in ZA-15-02.

Sec. 5.3.6 Nonconforming Lots

Development may occur on a non-conforming lot only in the following manner:

(a) Existing Small Lots:

See Sec. 5.2.1.

(b) Required Frontage or Access:

See Sec. 5.2.2.

(c) Changes to a Nonconforming Lot:

No change shall be permitted to any nonconforming lot which would have the effect of increasing the density at which the property is being used, or increasing the structure located upon such lot, if the dimensional requirements and standards, including parking, of the underlying zoning district are not met as a result thereof. ~~Any changes proposed on a non-conforming lot are subject to conditional use review.~~ Allowance of adaptive reuse and

residential conversion bonuses shall be an exception to the foregoing standards. A lot shall be considered nonconforming if there is not sufficient parking, as determined by the standards provided in Article 8. In such cases where a parking waiver or waivers may be or have been legally granted, such a waiver shall not be considered to increase the degree of non-conformity.

Item 9) Correct spelling in Sec. 6.1.2 (b) and punctuation in Sec. 6.1.2 (e).

Sec. 6.1.2 Review Standards

(a) As written.

(b) Block Size and Arrangement:

The size and arrangement of new blocks shall maintain the size and arrangement of existing neighborhood blocks within the zoning district, and support the pattern of interconnected streets throughout the city.

(c) – (d) As written.

(e) Connectivity of sidewalks, trails, and natural systems:

The established sidewalk network shall be maintained and extended to the extent possible. Trail networks and uninterrupted corridors of greenspace outside of the established street grid should be maintained and extended wherever possible. All sidewalks shall be in conformance with applicable street design & construction details as provided by the department of public works, and shall be dedicated to the city.

Item 10) Takes clear sight triangle out of design review only and puts in Article 5 as a citywide general standard.

Sec. 6.2.2 Review Standards

(m) Landscaping and Fences:

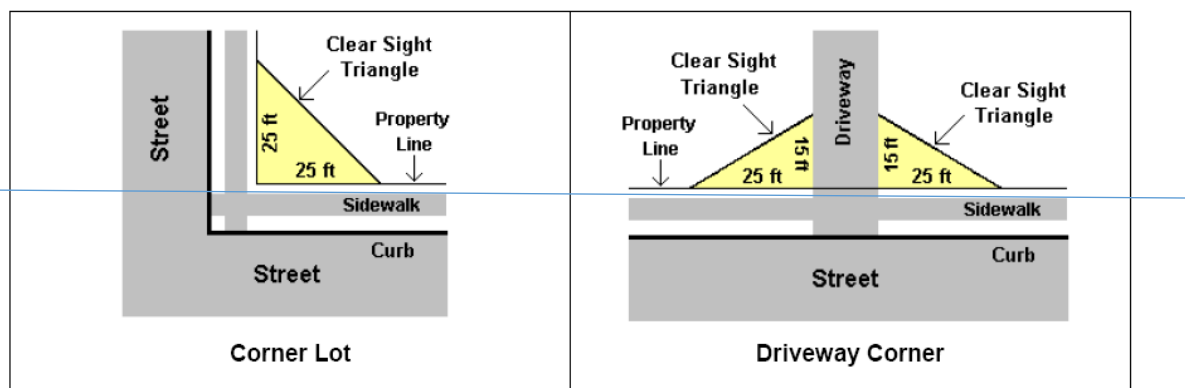
Landscaping shall be used to beautify the development site and to provide specific functions and benefits to the uses and buildings on the site. These include but are not limited to stormwater retention and erosion control, winter windbreaks and summer shade, recreational and habitat corridors, buffers and screening of parking areas, and creating privacy for and from adjacent property.

Existing trees shall be retained and incorporated into a landscape plan to the extent possible, and existing trees to be retained shall be protected during construction in accordance with specifications provided by the city arborist. Contiguous green space, both within the site and with adjacent properties, should be provided on a site whenever possible and be designed to provide wildlife travel corridors and habitat preservation, as well as enabling recreational access. If open space is intended to be publicly accessible, it shall be designed to maximize accessibility for all individuals including the disabled, encourage social interaction, and facilitate ease of maintenance. Along the street edge, landscaping shall be used to provide a visual buffer into parking areas from the public street and reinforce the streetscape.

The selection of plant materials and planting sites should create a sustainable landscape, and consideration shall be given to factors such as hardiness, salt tolerance, disease resistance, invasiveness, root and canopy spread, underground and overhead utilities, soil conditions, and microclimates. The use of native plant materials is encouraged, and the use of plants considered invasive by VT Agency of Agriculture shall be prohibited. For more information on sustainable landscapes, applicants are encouraged to consult *Planting Sustainable Landscapes: A Guide for Plan Reviewers* prepared for the Vermont Department of Forests Parks and Recreation by the Vermont Chapter of the American Society of Landscape Architects.

New or replacement street trees shall be provided consistent with the city's *Street Tree Master Plan*. All proposed street trees shall be selected and planted in accordance with specifications provided by the city arborist.

Fences may be placed within the required setback along a property line, but shall be setback sufficiently to provide for the maintenance of both sides of the fence without entering onto the adjacent property and shall present a finished side to the adjoining property and public street. Fences placed within a clear sight triangle shall adhere to the standards of Sec. 5.2.6 (c). ~~along driveways and at street intersections, or between an existing building and the front property line, whichever is less, shall be limited to 3 feet in height above the curb in order to provide safe sight distances for pedestrians and vehicles.~~ Styles, materials, and dimensions of the proposed fence shall be compatible with the context of the neighborhood and the use of the property.



Item 11) Allows sign lighting in the Enterprise zones.

Sec. 7.2.1 Regulation by District

Signs shall be permitted in each district as specified in Table 7.2.1-1 below and as further regulated by the provisions of this Part. Where other provisions in this Article are more restrictive than Table 7.2.1-1, the more restrictive provisions shall apply.

Table 7.2.1-1: Sign Regulation Summary					
		Zoning District⁴			
Sign Type	Dimensional Requirements	All RCO and Residential Districts	All Mixed Use and Institutional Districts	All Enterprise Districts	(Reserved)
Parallel	Size	20-sf	2-sf ¹	2-sf ¹	-
	Maximum Height	14-ft ²	14-ft ²	14-ft ²	-
	Illumination	No	Yes	No	-
Projecting					
	Size	4-sf	4-sf	4-sf	-
	Maximum Height	12-ft ²	14-ft	14-ft	-
	Illumination	No	Yes	No Yes	-
Freestanding	Size	20-sf	½-sf ¹	1-sf ¹	-
	Maximum Height	6-ft	14-ft	6-ft	-
	Illumination	No	Yes ³	No	-
1. Size is determined per each linear foot of building frontage allocated to the establishment 2. Or ceiling height of the first floor, whichever is less, except in D, D-T, E-LM and NMU-NAC where the sign may be above 14 feet as per Sec 7.2.3(a)4, Sec. 7.2.4 (c)2D, or Sec. 7.2.4(c)6C. 3. Illuminated freestanding signs are not permitted in NMU district. 4. No signs shall be permitted in the Urban Reserve District.					

Sec. 7.2.2 – 7.2.4

As written.

Sec. 7.2.5 Signs in Enterprise Districts

Signs in the Enterprise Zoning Districts shall be subject to the restrictions in Sec. 7.2.3 except as modified below:

- (a) The total area of any parallel sign shall not exceed two (2) square feet for each foot of length of the front building wall or length of that portion of such wall devoted to such establishment, or two hundred (200) square feet, whichever is less;

- (b) No parallel sign shall be painted on or affixed to the outside windows;
- ~~(c) Illuminated signs are prohibited;~~
- (d) Freestanding signs shall not exceed six (6) feet in height;
- (e) The area of any freestanding sign shall not exceed one half (1/2) square foot per one (1) linear foot of frontage or a total of sixty (60) square feet, which ever is less; and,
- (f) No sign shall be located within three (3) feet of any sidewalk or its vertical plane, except where such sign is attached to the face of the building at least eight (8) feet above the sidewalk and is protruding no more than six (6) inches from the face of the building.

Item 12) Removes conditional use footnote from Sec. 11.1.3. Originally missed in ZA-15-02.

Sec. 11.1.3 General Requirements and Applicability.

Any development involving multiple lots, tracts or parcels of land to be developed as a single entity, or seeking to place multiple structures and/or uses on a single lot where not otherwise permitted, may be permitted as a PUD subject to the provisions of this Article.

A planned unit development may be permitted subject to minimum project size as follows in the following districts:

Districts	Minimum Project Size
RH, RM, RM-W, Downtown and Neighborhood Mixed Use, Institutional ¹	No minimum project size.
RL, RL-W, RCO-R/G ¹	2 acres or more

~~1. Subject to Conditional Use Review pursuant to Art 3, Part 5.~~

Item 13) Cleans up use of footnote 8. Limits it to its intended use relative to daycares and museums.

Appendix A-Use Table – All Zoning Districts

Delete footnote 8 except where applicable for daycares and small museums (see attached).

Item 14) Deletes Appendix B. The standards are duplicative of those in Article 4 and has not been kept up to date. One set of standards in one location is better.

Appendix B – Dimensional Standards – All Zoning Districts

Appendix A-Use Table – All Zoning Districts

	Urban Reserve	Recreation, Conservation & Open Space			Institutional	Residential			Downtown Mixed Use					Neighborhood Mixed Use				Enterprise	
USES	UR	RCO - A	RCO - RG	RCO - C	I	RL/W	RM/W	RH	D	DW	DW-PT ¹⁶	DT	BST	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	D	DW	DW-PT ¹⁶	DT	BST	NMU	NAC	NAC-RC	NAC-CR	E-AE	E-LM
Single Detached Dwelling	N	N ¹	N	N	Y	Y	Y	N	N	N	N	N	N	N	N	N	N	N	N
Accessory Dwelling Unit (See Art.5, Sec.5.4.5)	N	N	N	N	Y	Y	Y	N	N	N	N	N	N	N	N	N	N		
Attached Dwellings - Duplex	N	N ¹	N	N	Y	CU ²	Y	Y	N	N	N	N	N	Y ³	N	Y	N	N	N
Attached Dwellings - Multi-Family (3 or more)	N	N ¹	N	N	CU	N	Y	Y	Y	Y	N	Y	Y	Y	Y	Y	Y	N	N
Attached Dwelling(s) – Mixed-Use ²⁶	N	N ¹	N	N	CU	CU	CU	CU	Y	Y	N	Y	Y	Y	Y	Y	Y	N	N
RESIDENTIAL SPECIAL USES	UR	RCO – A	RCO - RG	RCO - C	I	RL/W	RM/W	RH	D	DW	DW-PT ¹⁶	DT	BST	NMU	NAC	NAC-RC	NAC-CR	E-AE	E-LM
Assisted Living	N	N	N	N	CU	CU	Y	Y	Y	Y	N	Y	Y	Y	Y	Y	Y	N	N
Bed and Breakfast ^{4, 6}	N	N	N	N	CU	CU	CU	CU	Y	Y	N	Y	Y	Y	Y	Y	N	N	N
Boarding House ⁶ (4 persons or less)	N	N	N	N	CU	CU	Y	Y	Y	Y	N	Y	Y	Y	Y	Y	N	N	N
Boarding House ⁶ (5 persons or more)	N	N	N	N	CU	CU	CU	CU	Y	Y	N	Y	Y	CU	CU	CU	N	N	N
Community House (See Sec.5.4.4)	N	N	N	N	CU	CU	CU	CU	Y	Y	N	CU	CU	CU	CU	CU	CU	N	N
Convalescent /Nursing Home	N	N	N	N	CU	CU	Y	Y	Y	Y	N	Y	Y	Y	Y	Y	Y	N	N
Dormitory ⁵	N	N	N	N	CU	N	N	N	N	N	N	CU	CU	N ²⁵	CU	CU	N	N	N
Group Home	N	N	N	N	Y	Y	Y	Y	Y	CU	N	Y	N	Y	Y	Y	Y	N	N
Historic Inn (See Sec.5.4.2)	N	N	N	N	CU	CU	CU	CU	Y	Y	N	CU	CU	CU	Y	Y	Y	N	N
Mobile Home Park	N	N	N	N	N	CU	CU	N	N	N	N	N	N	N	N	N	N	N	N
Sorority/Fraternity ⁵	N	N	N	N	CU	N	N	N	N	N	N	CU	N	N	N	N	N	N	N
NON-RESIDENTIAL USES	UR ²¹	RCO - A	RCO - RG	RCO - C	I	RL/W	RM	RH	D	DW	DW-PT ¹⁶	DT	BST	NMU	NAC	NAC-RC	NAC-CR	E-AE	E-LM
Adult Day Care	N	N	N	N	CU	N	N	N	Y	Y	N	Y	Y	Y	Y	Y	Y	N	N
Agricultural Use ²⁰	N	Y	Y	CU	Y	N	N	N	N	N	N	N	N	N	N	N	N	Y	N
Amusement Arcade	N	N	N	N	N	N	N	N	Y	Y	N	CU	CU	N	CU	CU	CU	N	N
Animal Boarding/Kennel/Shelter	N	CU	N	N	N	N	N	N	CU ²⁹	CU ²⁹	N	CU ²⁹	CU ²⁹	N	CU	CU	CU	CU	CU
Animal Grooming	N	N	N	N	N	N	N	N	N	N	N	Y	Y	Y	Y	Y	Y	CU	CU
Animal Hospitals/Veterinarian Office	N	CU	N	N	CU	N	N	N	CU	N	N	CU	CU	CU	CU	CU	CU	Y	Y
Appliance Sales/Service	N	N	N	N	N	N	N	N	Y	Y	N	CU	Y	Y ²⁴	Y	Y	Y ²⁴	N	Y
Aquarium	N	N	CU	N	CU	N	N	N	Y	Y	(See Sec.4.4.1(d) 2)	CU	Y	N	N	N	N	N	N
Art Gallery/Studio	N	N	N	N	Y	N	N	CU ^{8, 13}	Y	Y	(See Sec.4.4.1(d) 2)	Y	Y	Y	Y	Y	Y	Y	Y
Auction House	N	N	N	N	N	N	N	N	Y	Y	N	Y	Y	N	Y	Y	N	N	CU
Automobile Body Shop	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	Y	N	N	Y

Appendix A-Use Table – All Zoning Districts

	Urban Reserve	Recreation, Conservation & Open Space			Institutional	Residential			Downtown Mixed Use					Neighborhood Mixed Use				Enterprise	
USES	UR	RCO - A	RCO - RG	RCO - C	I	RL/W	RM/W	RH	D	DW	DW-PT ¹⁶	DT	BST	NMU	NAC	NAC-RC	NAC-CR	E-AE	E-LM
Automobile & Marine Parts Sales	N	N	N	N	N	N	N	N	Y	Y ¹⁴	(See Sec.4.4.1(d) 2)	CU	Y	CU	Y	Y	Y	N	Y
Automobile/Vehicle Repair	N	N	N	N	N	N	N	N	N	N	N	N	N	CU ^{9, 12, 14}	CU ^{9, 12, 14}	CU ¹⁴	N	N	Y
Automobile Sales – New & Used	N	N	N	N	N	N	N	N	Y ¹⁰	N	N	CU ¹⁰	Y ¹⁰	N	Y	Y	N	N	CU
Bakery - Retail	N	CU	N	N	N	N ²²	N ²²	CU ^{8, 13}	Y	Y	N	Y	Y	Y	Y	Y	Y	Y	Y
Bakery - Wholesale	N	N	N	N	N	N	N	N	Y	Y	N	CU	CU	N	Y	Y	N	Y	Y
Bank, Credit Union	N	N	N	N	CU	N ²²	N ²²	N ²²	Y	Y	N	Y	Y	Y	Y	Y	Y	N	N
Bar, Tavern	N	N	N	N	N	N	N	N	Y	Y	N	N	CU	CU	CU	CU	CU	N	N
Beauty/ Barber Shop	N	N	N	N	CU	N ²²	N ²²	CU ^{8, 13}	Y	Y	N	Y	Y	Y	Y	CU	Y	N	N
Bicycle Sales/Repair	N	N	N	N	CU	N	N	N	Y	Y	N	Y	Y	Y	Y	Y	Y	N	Y
Billiard Parlor	N	N	N	N	N	N	N	N	Y	Y	N	CU	CU	CU	Y	CU	Y	N	N
Boat Repair/Service	N	N	CU	N	N	N	N	N	N	CU	(See Sec.4.4.1(d) 2)	CU	CU	N	CU	CU	N	N	Y
Boat Sales/Rentals	N	N	CU	N	N	N	N	N	Y	Y	(See Sec.4.4.1(d) 2)	Y	Y	N	Y	Y	N	N	Y
Boat Storage	N	N	CU	N	N	N	N	N	N	CU	N	CU	CU	N	CU	CU	N	N	Y
Bowling Alley	N	N	N	N	N	N	N	N	CU	N	N	N	CU	CU	Y	Y	Y	N	N
Building Material Sales	N	N	N	N	N	N	N	N	N	N	N	N	N	N	Y ¹⁰	Y	N	N	Y
Café	N	CU ¹⁷	CU	N	CU	N ²²	N ²²	CU ^{8, 13}	Y	Y	(See Sec.4.4.1(d) 2)	CU	Y	Y	Y	Y	Y	CU	CU
Camp Ground	N	Y	Y	N	N	N	N	N	N	N	(See Sec.4.4.1(d) 2)	N	N	N	N	N	N	N	N
Car Wash	N	N	N	N	N	N	N	N	N	N	N	N	N	N	CU	Y	CU	N	CU
Cemetery	N	N	Y	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
Cinema	N	N	N	N	Y	N	N	CU ⁸	Y	Y	N	Y	Y	CU ¹⁴	Y	N	Y ¹⁴	N	N
Club, Membership	N	N	Y	N	CU	N	Y	Y	Y	N	N	Y	Y	CU	CU	N	CU	N	N
Community Center	N	N	CU	N	CU	CU ¹³	CU ¹³	Y ¹³	Y	Y	N	Y	Y	Y	Y	Y	Y	N	CU
Community Garden	N	Y	Y	N	Y	Y	Y	Y	Y	Y	N	Y	Y	Y	Y	Y	Y	Y	Y
Conference Center	N	N	N	N	CU	N	N	N	Y	N	N	CU	CU	N	N	N	N	N	N
Composting	N	CU	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
Contractor Yard	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	Y ¹⁰	N	N	Y
Convenience Store (See Sec.5.4.3)	N	N	N	N	N	N	N	CU ^{8, 12}	Y	Y ¹²	N	CU	Y	Y ¹²	Y	Y	Y ¹²	N	Y
Convention Center	N	N	N	N	N	N	N	N	CU	CU	N	CU	CU	N	N	N	N	N	N
Courthouse	N	N	N	N	Y	N	N	CU	Y	Y	N	Y	Y	N	N	N	N	N	N
Crematory	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	CU	N	N	N
Crisis Counseling Center	N	N	N	N	CU	CU	CU	CU	Y	Y	N	Y	Y	Y	Y	Y	Y	N	N
Daycare - Large (Over 20 children)	N	N	N	N	CU	CU ¹³	CU ¹³	CU ¹³	Y	Y	N	CU	CU	Y	Y	Y	Y	N	CU ¹⁷
Daycare - Small (7-20 children) (See Sec.5.4.1)	N	CU ⁸	CU ⁸	CU ⁸	CU	CU ¹³	CU ¹³	CU ¹³	Y	Y	N	CU	CU	Y	Y	Y	Y	CU	CU ¹⁷

Appendix A-Use Table – All Zoning Districts

	Urban Reserve	Recreation, Conservation & Open Space			Institutional	Residential			Downtown Mixed Use					Neighborhood Mixed Use				Enterprise	
USES	UR	RCO - A	RCO - RG	RCO - C	I	RL/W	RM/W	RH	D	DW	DW-PT ¹⁶	DT	BST	NMU	NAC	NAC-RC	NAC-CR	E-AE	E-LM
Daycare - Home (6 children or less)	N	N	N	N	Y	Y	Y	Y	Y	Y	N	Y	Y	Y	Y	Y	Y	N	N
Dental Lab	N	N	N	N	CU	N	N	N	Y	Y	N	Y	Y	Y	Y	Y	Y	N	Y
Distribution Center	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	CU	N	N	CU
Dry Cleaning Plant	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	CU	N	N	CU
Dry Cleaning Service	N	N	N	N	CU	N ²²	N ²²	N ²²	Y	Y ¹⁴	N	Y	Y	Y ²⁴	Y	Y	Y ²⁴	N	CU
Film Studio	N	N	N	N	Y	N	N	N	Y	Y	N	Y	Y	N	CU	Y	CU	N	CU
Fire Station	N	N	Y	N	Y	CU	CU	CU	Y	Y	N	Y	Y	Y	Y	Y	Y	Y	Y
Food Processing	N	N	N	N	N	N	N	N	N	N	N	CU	CU	CU	CU	CU	CU	CU	Y
Fuel Service Station ⁹	N	N	N	N	N	N	N	N	Y ¹¹	N	N	CU ¹¹	CU ¹¹	CU ¹¹	Y ¹¹	Y	N	N	N
Funeral Home	N	N	N	N	N	CU ⁷	CU ⁷	CU ^{7, 8}	CU	N	N	N	N	CU	Y	Y	N	N	N
Garden Supply Store	N	N	N	N	CU	N	N	N	CU ¹⁴	CU ¹⁴	N	CU ¹⁴	CU ¹⁴	CU ²⁴	Y	Y	N	Y	Y
General Merchandise/Retail – Small <4,000sqft	N	N	N	N	CU	N ²²	N ²²	N ²²	Y	Y	(See Sec.4.4.1(d) 2)	Y	Y	Y	Y	Y	Y	N	Y
General Merchandise/Retail – Large ≥4,000sqft	N	N	N	N	N	N	N	N	Y	CU	(See Sec.4.4.1(d) 2)	CU	CU	N	CU ¹⁸	CU	CU	N	CU ¹⁷
Grocery Store – Small ≤10,000sqft	N	N	N	N	N	N	N	CU ⁸	Y	Y	N	Y	Y	Y	Y	Y	Y	CU	CU ²⁸
Grocery Store – Large >10,000sqft	N	N	N	N	N	N	N	N	Y	N	N	CU	CU	N	Y	Y	N	N	CU ²⁸
Hazardous Waste Collection/Disposal	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	CU
Health Club	N	N	N	N	Y	N	N	CU ⁸	Y	Y	N	CU	CU	CU	Y	Y	Y	N	CU
Health Studio	N	N	N	N	Y	N ²²	N ²²	CU ⁸	Y	Y	N	Y	Y	Y	Y	Y	Y	N	Y
Hospitals	N	N	N	N	CU	N	N	CU	CU	N	N	CU	CU	N	N	N	N	N	N
Hostel	N	N	N	N	Y	N	N	CU	Y	Y	N	Y	Y	Y	Y	Y	Y	N	N
Hotel, Motel	N	N	N	N	CU	N	N	N	Y	Y	(See Sec.4.4.1(d) 2)	CU	CU	N	Y	N	Y	N	N
Laundromat	N	N	N	N	CU	N ²²	N ²²	CU ^{8, 13}	Y	Y ¹³	N	Y ¹³	Y ¹³	Y ¹³	Y	Y	Y	N	Y
Library	N	N	N	N	Y	CU	CU	Y	Y	Y	N	Y	Y	Y	Y	Y	Y	N	N
Lumber Yard	N	N	N	N	N	N	N	N	N	N	N	N	N	N	CU ¹⁰	Y	N	N	Y
Machine/Woodworking Shop	N	N	N	N	N	N	N	N	N	N	N	CU	CU	CU	CU	CU	CU ²⁴	CU	Y
Manufacturing	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	CU	N	CU	Y
Manufacturing - Tour Oriented	N	N	N	N	N	N	N	N	N	CU	N	N	CU	N	N	CU	N	CU	CU
Marina	N	N	Y	N	N	N	N	N	N	Y	(See Sec.4.4.1(d) 2)	N	N	N	N	N	N	N	N
Medical Lab	N	N	N	N	CU	N	N	N	Y	N	N	CU	CU	CU	Y	Y	N	CU	CU
Mental Health Crisis Center	N	N	N	N	N	N	CU (See §5.4.11)	N	N	N	N	N	N	N	N	N	N	N	N
Micro-Brewery/Winery	N	N	N	N	N	N	N	N	Y	Y	N	Y	Y	CU	Y	Y	CU	CU	Y ¹⁹

Appendix A-Use Table – All Zoning Districts

	Urban Reserve	Recreation, Conservation & Open Space			Institutional	Residential			Downtown Mixed Use					Neighborhood Mixed Use				Enterprise	
USES	UR	RCO - A	RCO - RG	RCO - C	I	RL/W	RM/W	RH	D	DW	DW-PT ¹⁶	DT	BST	NMU	NAC	NAC-RC	NAC-CR	E-AE	E-LM
Museum–Small < 10,000 sqft	N	CU	CU	CU	Y	CU ¹³	CU ¹³	CU ^{8,13}	Y	Y	(See Sec.4.4.1(d) 2)	Y	Y	Y	Y	Y	Y	CU	Y ²³
Museum-Large >10,000 sqft	N	N	N	N	CU	N	N	N	CU	CU	(See Sec.4.4.1(d) 2)	CU	CU	N	CU	CU	N	CU	CU ²³
Office - General	N	N	N	N	N	N	N	N	Y	Y	N	Y	Y	Y	Y	Y	Y	CU	Y
Office - Medical, Dental	N	N	N	N	CU	N ²²	N ²²	N ²²	Y	Y	N	Y	Y	Y	Y	Y	Y	N	Y
Open Air Markets	N	Y	Y	N	Y	CU	CU	CU	Y	Y	(See Sec.4.4.1(d) 2)	Y	Y	Y	Y	Y	Y	Y	Y
Operations Center – Taxi/Bus ⁹	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	CU ¹¹	N	N	Y
Operations Center - Trucking ⁹	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	Y ¹¹	N	CU ¹¹	CU
Park	N	Y	Y	Y	Y	Y	Y	Y	Y	Y	(See Sec.4.4.1(d) 2)	Y	Y	Y	Y	Y	Y	CU	CU
Parking Garage ⁹	N	N	N	N	Y	N	N	CU	Y	Y	N	Y	Y	CU	Y	N	CU	N	CU
Parking Lot ⁹	N	N	N	N	N	N	N	N	N	N	N	N	N	N	CU	N	N	N	CU
Performing Arts Center	N	N	N	N	Y	N	N	N	Y	Y	(See Sec.4.4.1(d) 2)	CU	CU	CU	Y	N	CU	N	CU ²⁷
Performing Arts Studio	N	N	N	N	Y	N	N	CU ¹³	Y	Y	(See Sec.4.4.1(d) 2)	CU	CU	CU	CU	CU	Y	N	Y
Pet Store ¹⁰	N	N	N	N	N	N	N	N	CU	CU	N	CU	CU	CU	Y	Y	Y	N	N
Pharmacy	N	N	N	N	CU	N ²²	N ²²	N ²²	Y	Y	N	Y	Y	Y	Y	Y	Y	N	N
Photo Studio	N	N	N	N	N	N ²²	N ²²	N	Y	Y	N	Y	Y	Y	Y	Y	Y	N	Y
Photography Lab	N	N	N	N	N	N	N	N	Y	N	N	CU	CU	CU	Y	Y	Y	CU	Y
Police Station - Central	N	N	N	N	CU	N	N	N	Y	Y	N	Y	Y	Y	Y	Y	N	N	N
Police Station - Local	N	N	CU	N	Y	CU	CU	CU	Y	Y	N	Y	Y	Y	Y	Y	Y	Y	Y
Post Office – Central Distribution Center	N	N	N	N	N	N	N	N	N	N	N	Y	N	N	Y	Y	N	N	Y
Post Office - Local	N	N	N	N	Y	N ²²	N ²²	N ²²	Y	Y	N	Y	Y	Y	Y	Y	Y	N	N
Printing Plant	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	CU	N	N	Y
Printing Shop	N	N	N	N	CU	N ²²	N ²²	N	Y	N	N	CU	CU	CU	Y	Y	Y	N	Y
Public Transit Terminal	N	N	N	N	Y	N	N	N	Y	Y	(See Sec.4.4.1(d) 2)	CU	CU	N	CU	CU	Y	CU	Y
Public Works Yard/Garage ⁹	N	N	N	N	CU ¹¹	N	N	N	N	N	N	N	N	N	CU ¹¹	Y ¹¹	N	CU	Y
Radio & TV Studio	N	N	N	N	N	N	N	N	Y	Y	N	CU	Y	N	Y	Y	Y	N	Y
Rail Equip. Storage & Repair	N	N	N	N	N	N	N	N	N	N	(See Sec.4.4.1(d) 2)	N	N	N	N	N	N	CU	CU
Recording Studio	N	N	N	N	N	N	N	CU ⁸	Y	Y	N	Y	Y	CU	CU	Y	Y	N	Y
Recreational Facility - Indoor	N	N	CU	N	CU	N	CU	CU	Y	CU	(See Sec.4.4.1(d) 2)	CU	CU	N	Y	CU	N	N	CU
Recreational Facility - Outdoor Commercial	N	N	CU	N	CU	N	N	N	N	CU	(See Sec.4.4.1(d) 2)	N	N	N	N	CU	N	N	N
Recreational Facility - Outdoor	N	N	Y	N	Y	N	N	N	N	N	(See Sec.4.4.1(d) 2)	N	N	N	Y	Y	CU	N	N
Recreational Vehicle Sales – New and Used	N	N	N	N	N	N	N	N	N	N	N	N	N	N	CU	CU	N	N	Y

Appendix A-Use Table – All Zoning Districts

	Urban Reserve	Recreation, Conservation & Open Space			Institutional	Residential			Downtown Mixed Use					Neighborhood Mixed Use				Enterprise	
USES	UR	RCO - A	RCO - RG	RCO - C	I	RL/W	RM/W	RH	D	DW	DW-PT ¹⁶	DT	BST	NMU	NAC	NAC-RC	NAC-CR	E-AE	E-LM
Recycling Center – Large ¹⁰ (above 2,000 sf)	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	CU	CU
Recycling Center - Small ¹⁰ (2,000 sf or less)	N	N	N	N	CU	N	N	N	N	N	N	N	N	CU	CU	CU	CU	CU	Y
Research Lab	N	CU	N	N	CU	N	N	N	CU	CU	(See Sec.4.4.1(d) 2)	CU	CU	N	CU	CU	CU ²⁴	CU	Y
Restaurant	N	N	N	N	N	N ²²	N ²²	CU ^{8, 13}	Y	Y	(See Sec.4.4.1(d) 2)	Y	Y	Y ¹³	Y	Y	Y ¹³	N	N
Restaurant – Take Out	N	N	N	N	CU ¹³	N ²²	N ²²	N	Y	Y	(See Sec.4.4.1(d) 2)	Y	Y	Y ¹³	Y	Y	Y ¹³	N	Y ¹³
Salon/Spa	N	N	N	N	CU	N ²²	N ²²	N	Y	Y	N	Y	Y	Y	Y	Y	Y	N	N
School - Post-Secondary &Community College	N	N	Y	N	CU	N	CU	CU	CU	N	N	CU	CU	CU	CU	CU	CU	N	N
School - Primary	N	N	N	N	CU	CU	CU	CU	CU	N	N	CU	N	CU	CU	CU	CU	N	N
School - Secondary	N	N	N	N	CU	CU	CU	CU	CU	N	N	CU	N	CU	CU	CU	CU	N	N
School, -Trade, or Professional	N	N	N	N	CU	N	N	N	Y	N	N	CU	CU	CU	N	N	CU	N	CU
Solid Waste Facility - Incinerator, Landfill, Transfer Station	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	CU	CU
Tailor Shop	N	N	N	N	N	N ²²	N ²²	CU ⁸	Y	Y	N	Y	Y	Y	Y	Y	Y	N	N
Warehouse	N	CU	N	N	CU	N	N	N	N	N	(See Sec.4.4.1(d) 2)	N	N	N	N	Y ¹⁵	N	Y	Y
Warehouse, Retail ⁹	N	N	N	N	N	N	N	N	N	N	N	N	N	N	CU ¹⁵	CU ¹⁵	N	CU	CU
Warehouse, Self-Storage ⁹	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	Y ¹⁵	N	N	CU
Wholesale Sales ⁹	N	CU	N	N	N	N	N	N	N	N	N	N	N	N	N	Y ¹⁵	N	Y	Y
Worship, Place of	N	N	N	N	CU	CU	CU	Y	Y	N	N	Y	Y	Y	CU	CU	CU	N	N

1. Residential uses are not permitted except only as an accessory use to an agricultural use.
2. Duplexes may be constructed on lots which meet the minimum lot size specified in Table 4.4.5-1.
3. Duplexes shall only be allowed as a result of a conversion of an existing single family home. New duplexes are prohibited.
4. No more than 5 rooms permitted to be let in any district where bed and breakfast is a conditional use. No more than 3 rooms permitted to be let in the RL district.
5. An existing fraternity, sorority, or other institutional use may be converted to dormitory use subject to conditional use approval by the DRB.
6. Must be owner-occupied.
7. Must be located on a major street.
8. Small daycares in the RCO zones shall be conditional use and shall only be allowed as part of small museums and shall constitute less than 50% of the gross floor area of the museum.
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. Cafes not permitted as an accessory use. Retail sales and tasting are permitted as an accessory use.
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.

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
D	Downtown
DW	Downtown Waterfront
DT	Downtown Transition
BST	Battery Street Transition
NMU	Neighborhood Mixed Use
NAC	Neighborhood Activity Center
NAC-RC	NAC – Riverside Corridor
E-AE	Enterprise – Agricultural Processing and Energy
E-LM	Enterprise – Light Manufacturing

Appendix A-Use Table – All Zoning Districts

- 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. Performing arts centers in the ELM zone shall be limited to a total of 5,000 square feet in size and to properties with frontage on Pine Street. 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.
- 28. Grocery Stores up to but not to exceed 30,000 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.

Appendix B – Dimensional Standards – All Zoning Districts¹

District	Density/ Intensity	Lot Coverage (%)	Building Height (feet)	Front Setback ¹ (feet)	Side Setbacks (% or feet)	Rear Setback (% or feet)	Lake & River Setback (feet)	Lot Size (sqft)	Street Frontage (feet)
Mixed- Use									
Downtown	<u>Max:</u> FAR 5.5 (FAR 8.5 w/ bonus)	<u>Max:</u> 100%	<u>Min:</u> 30' & 3 story <u>Max:</u> 65' (105' with bonuses)	<u>Min:</u> 12' from curb ³	<u>Min:</u> 0'	<u>Min:</u> 0'	NA	NA	NA
● Church Street Marketplace			<u>Min:</u> 30' & 3 story <u>Max:</u> 38' w/in 100' of centerline						
Downtown Transition									
● North of Buell	<u>Max:</u> FAR 4 (FAR 5 w/ bonus)	<u>Max:</u> 100%	<u>Min:</u> 30' & 3 story <u>Max:</u> 45' (55' with bonuses)	<u>Min:</u> 12' from curb ³	<u>Min:</u> 0' (Res. Dist setback: min of 15')	<u>Min:</u> 0' (Res. Dist setback: min of 15')	NA	NA	NA
● Frontage on south side of Main St. west of S. Winoski Ave	<u>Max:</u> FAR 5.5 (FAR 8.5 w/ bonus)	<u>Max:</u> 100%	<u>Min:</u> 30' & 3 story <u>Max:</u> 65' (105' with bonuses)	<u>Min:</u> 12' from curb ³	<u>Min:</u> 0' (Res. Dist setback: min of 15')	<u>Min:</u> 0' (Res. Dist setback: min of 15')	NA	NA	NA
● South of Buell	<u>Max:</u> FAR 4 (FAR 5.5 w/ bonus)	<u>Max:</u> 100%	<u>Min:</u> 30' & 3 story <u>Max:</u> 45' (65' with bonuses)	<u>Min:</u> 12' from curb ³	<u>Min:</u> 0' (Res. Dist setback: min of 15')	<u>Min:</u> 0' (Res. Dist setback: min of 15')	NA	NA	NA
● South of Maple	<u>Max:</u> FAR 2 (FAR 3 w/ bonus)	<u>Max:</u> 100%	<u>Min:</u> 30' & 3 story <u>Max:</u> 35' (45' with bonuses)	<u>Min:</u> 12' from curb ³	<u>Min:</u> 0' (Res. Dist setback: min of 15')	<u>Min:</u> 0' (Res. Dist setback: min of 15')	NA	NA	NA
Downtown Waterfront									
A. North of Pearl, east of railroad	<u>Max:</u> FAR 4 (FAR 5.5 w/ bonus)	<u>Max:</u> 100%	<u>Min:</u> 30' & 3 story <u>Max:</u> 45' (65' with bonuses)	<u>Min:</u> 12' from curb ³	<u>Min:</u> 0' (Res. Dist setback: min of 15')	<u>Min:</u> 0' (Res. Dist setback: min of 15')	NA	NA	NA
B. Pearl to Bank east of Lake St.	<u>Max:</u> FAR 4 (FAR 5.5 w/ bonus)	<u>Max:</u> 100%	<u>Min:</u> 30' & 3 story <u>Max:</u> 45' (65' with bonuses)	<u>Min:</u> 12' from curb ³	<u>Min:</u> 0' (Res. Dist setback: min of 15')	<u>Min:</u> 0' (Res. Dist setback: min of 15')	NA	NA	NA
C. Pearl to Bank west of Lake St.	<u>Max:</u> FAR 2 (FAR 3 w/ bonus)	<u>Max:</u> 100%	<u>Min:</u> 30' & 3 story <u>Max:</u> 35'	<u>Min:</u> 12' from curb ³	<u>Min:</u> 0' (Res. Dist setback: min of 15')	<u>Min:</u> 0' (Res. Dist setback: min of 15')	NA	NA	NA
D. Bank to College east of Lake St.	<u>Max:</u> FAR 3 (FAR 5 w/ bonus)	<u>Max:</u> 100%	<u>Min:</u> 30' & 3 story <u>Max:</u> 35' (55' with bonuses)	<u>Min:</u> 12' from curb ³	<u>Min:</u> 0' (Res. Dist setback: min of 15')	<u>Min:</u> 0' (Res. Dist setback: min of 15')	NA	NA	NA
E. Bank to College west of Lake St.	<u>Max:</u> FAR 2 (FAR 3 w/ bonus)	<u>Max:</u> 100%	<u>Min:</u> 30' & 3 story <u>Max:</u> 35'	<u>Min:</u> 12' from curb ³	<u>Min:</u> 0' (Res. Dist setback: min of 15')	<u>Min:</u> 0' (Res. Dist setback: min of 15')	NA	NA	NA
F. South of College	<u>Max:</u> FAR 2 (FAR 3 w/ bonus)	<u>Max:</u> 100%	<u>Min:</u> 30' & 3 story <u>Max:</u> 35'	<u>Min:</u> 12' from curb ³	<u>Min:</u> 0' (Res. Dist setback: min of 15')	<u>Min:</u> 0' (Res. Dist setback: min of 15')	NA	NA	NA
Downtown Waterfront – Public Trust									

Appendix B - Dimensional Standards – All Zoning Districts¹

District	Density/ Intensity	Lot Coverage (%)	Building Height (feet)	Front Setback ¹ (feet)	Side Setbacks (% or feet)	Rear Setback (% or feet)	Lake & River Setback (feet)	Lot Size (sqft)	Street Frontage (feet)
A. North of Pearl, west of railroad	<u>Max:</u> FAR 2 (FAR 3 w/ bonus)	<u>Max:</u> 100%	<u>Max:</u> 35'	<u>Min:</u> 12' from curb ³	<u>Min:</u> 0' (Res. Dist setback: min of 15')	<u>Min:</u> 0' (Res. Dist setback: min of 15')	NA	NA	NA
B. 200' from water	<u>Max:</u> FAR 2 (FAR 3 w/ bonus)	<u>Max:</u> 100%	<u>Max:</u> 35'	<u>Min:</u> 12' from curb ³	<u>Min:</u> 0' (Res. Dist setback: min of 15')	<u>Min:</u> 0' (Res. Dist setback: min of 15')	<u>Min:</u> 50'	NA	NA
Battery Street Transition	<u>Max:</u> FAR 3 (FAR 4.5 w/ bonus)	<u>Max:</u> 100%	<u>Min:</u> 30' & 3 story <u>Max:</u> 35' (55' with bonuses)	<u>Min:</u> 12' from curb ³	<u>Min:</u> 0' (Res. Dist setback: min of 15')	<u>Min:</u> 0' (Res. Dist setback: min of 15')	NA	NA	NA
NAC	<u>Max:</u> FAR 2 (FAR 3 w/ bonus)	<u>Max:</u> 80%	<u>Max:</u> 35' (45' with bonuses)	<u>Min:</u> 0'	<u>Min:</u> 0' (Res. Dist setback: min of 15')	<u>Min:</u> 0' (Res. Dist setback: min of 15')	NA	NA	NA
NAC-Riverside Corridor	<u>Max:</u> FAR 2 (FAR 3 w/ bonus)	<u>Max:</u> 80%	<u>Min:</u> 20' & 2 story <u>Max:</u> 35' (45' with bonuses)	<u>Min:</u> 0'	<u>Min:</u> 0' (Res. Dist setback: min of 15')	<u>Min:</u> 0' (Res. Dist setback: min of 15')	NA	NA	NA
NMU	<u>Max:</u> FAR 2 (FAR 3 w/ bonus)	<u>Max:</u> 80%	<u>Min:</u> 20' & 2 story <u>Max:</u> 35' (45' with bonuses)	<u>Min:</u> 0'	<u>Min:</u> 0' (Res. Dist setback: min of 15')	<u>Min:</u> 0' (Res. Dist setback: min of 15')	NA	NA	NA
Enterprise									
Agricultural Processing & Energy	<u>Max:</u> FAR 0.75	<u>Max:</u> 60%	<u>Max:</u> 45'	<u>Min:</u> 10'	<u>Min:</u> 10'	<u>Min:</u> 10'	<u>Min:</u> 100'	NA	NA
Light Manufacturing	<u>Max:</u> FAR 2	<u>Max:</u> 80%	<u>Max:</u> 45'	<u>Min:</u> 5'	<u>Min:</u> 0' (Res. Dist setback: 25' min)	<u>Min:</u> 10% (Res. Dist setback: 25' min)	<u>Min:</u> 100'	NA	NA
Institutional									
Institutional Campus	20 du/acre (24 du/acre with inclusionary requirement)	<u>Max:</u> 40% (48% w/ inclusionary requirement)	<u>Max:</u> 35' or height of existing buildings per Sec. 5.2.6(b)1	<u>Min:</u> 15'	10% of lot width <u>Min:</u> 5 feet <u>Max:</u> 20 feet	25% of lot depth <u>Min:</u> 20 feet <u>Max:</u> 75 feet	NA	NA	NA
FAHC UVMHC Medical Center Core Overlay see Sec. 4.5.2(c)	20 du/acre (24 du/acre w/ inclusionary requirement) NA for dormitories, rooming houses and non-residential uses per Sec. 4.5.2(c)6.	<u>Max:</u> 60-65%	<u>Max:</u> 540' above MSL or per Sec. 4.5.2(c)5	<u>Min:</u> 15'	<u>NA</u>	<u>NA</u>	NA	NA	NA

Appendix B - Dimensional Standards – All Zoning Districts¹

District	Density/ Intensity	Lot Coverage (%)	Building Height (feet)	Front Setback ¹ (feet)	Side Setbacks (% or feet)	Rear Setback (% or feet)	Lake & River Setback (feet)	Lot Size (sqft)	Street Frontage (feet)
UVM Central Campus Core Overlay see Sec. 4.5.2(d)	20 du/acre (24 du/acre w/ inclusionary requirement) NA for dormitories, rooming houses and non-residential uses per Sec. 4.5.2(d)6.	Max: 65-70%	Max: 140' or per Sec. 4.5.2(d)5	Min: 15'	NA	NA	NA	NA	NA
UVM Trinity Campus Core Overlay see Sec. 4.5.2(e)	20 du/acre (24 du/acre w/ inclusionary requirement)	Max: 40% (48% w/ inclusionary requirement)	Max: 35' or per Sec. 4.5.2(e) and Sec. 5.2.6(b)1 not to exceed 55'	Min: 115' from Colchester Ave. (Structures <200sqft are exempt.)	Min: 5-feet Max: 20-feet applicable only along perimeter	Min: 20-feet Max: 75-feet applicable only along perimeter	NA	NA	NA
UVM South of Main St. Campus Core Overlay see Sec. 4.5.2(f)	20 du/acre (24 du/acre w/ inclusionary requirement) NA for dormitories, rooming houses and non-residential uses per Sec. 4.5.2(f)6.	Max: 60%	Max: 80' or per Sec. 4.5.2(f)5	Existing building line as of January 1, 2008 along the South Prospect Street and Main Street frontages.	NA	NA	NA	NA	NA
Champlain College Core Overlay see Sec. 4.5.2(g)	Max: FAR 1.0-1.1 per Sec. 4.5.2(g)4	Max: 60%	Max: 35' or height of existing buildings per Sec. 5.2.6(b)1	Existing building line as of January 1, 1994 along the South Willard Street frontage south of Maple Street.	10% of lot width Min: 5-feet Max: 20-feet or per Sec. 4.5.2(g)2	25% of lot depth Min: 20-feet Max: 75-feet or per Sec. 4.5.2(g)2	NA	NA	NA
RCO									
Recreation / Greenspace	Max: 0	Max: 5%	Max: 35'	Min: 15'	Min: 10%	Min: 25%	Min: 100'	NA	NA
Conservation	Max: 0	Max: 5%	Max: 25'	Min: 15'	Min: 10%	Min: 25%	Min: 100'	NA	NA
Agriculture	Max: 0	Max: 5%	Max: 35'	Min: 15'	Min: 10%	Min: 25%	Min: 100'	NA	NA
Urban Reserve									
Urban Reserve	Max: 0	Max: 5%	Max: 35'	Min: 15'	Min: 10%	Min: 25%	Min: 100'	NA	NA

Appendix B - Dimensional Standards – All Zoning Districts¹

District	Density/ Intensity	Lot Coverage (%)	Building Height (feet)	Front Setback ¹ (feet)	Side Setbacks (% or feet)	Rear Setback (% or feet)	Lake & River Setback (feet)	Lot Size (sqft)	Street Frontage (feet)
Residential	(du/ac)								
RH	<u>Max:</u> 40 du/ac (80 with bonus)	<u>Max:</u> 80% (92% with bonus)	<u>Max:</u> 35' (45-ft with bonus)	Max/Min: +/- 5-ft of average of 2 adjoining properties on both sides	<u>Min:</u> 10% or 5' (Max required no more than 25')	<u>Min:</u> 25% or 20' (Max required no more than 75')	NA	NA	NA
• RH Density Overlay: S. Union to Church			<u>Max:</u> 35' (68-ft with bonus)						
• RH Density Overlay: Church to Pine			<u>Max:</u> 35' (55-ft with bonus)						
RM	<u>Max:</u> 20 du/ac (40 with bonus)	<u>Max:</u> 40% (60% with bonus)	<u>Max:</u> 35'	Max/Min: +/- 5-ft of average of 2 adjoining properties on both sides	<u>Min:</u> 10% or 5' (Max required no more than 25')	<u>Min:</u> 25% or 20' (Max required no more than 75')	NA	NA	<u>Min:</u> 30'
RM-W	<u>Max:</u> 20 du/ac (40 with bonus)	<u>Max:</u> 60% (72% with bonus)	<u>Max:</u> 35' w/in 200' of water and above 180' elevation <u>Max:</u> 60' beyond 200' of water and below 180' elevation	Max/Min: +/- 5-ft of average of 2 adjoining properties on both sides	<u>Min:</u> 10% or 5' (Max required no more than 25')	<u>Min:</u> 25% or 20' (Max required no more than 75')	<u>Min:</u> 75'	NA	<u>Min:</u> 30'
RL	<u>Max:</u> 7 du/ac (20 with bonus)	<u>Max:</u> 35% (50% with bonus)	<u>Max:</u> 35'	Max/Min: +/- 5-ft of average of 2 adjoining properties on both sides	<u>Min:</u> 10% or 5' (Max required no more than 25')	<u>Min:</u> 25% or 20' (Max required no more than 75')	<u>Min:</u> 75'	<u>Min:</u> 6,000 (10,000 Duplex)	<u>Min:</u> 60'
RL-W	<u>Max:</u> 7 du/ac (20 with bonus)	<u>Max:</u> 35% (50% with bonus)	<u>Max:</u> 35'	Max/Min: +/- 5-ft of average of 2 adjoining properties on both sides	<u>Min:</u> 10% or 5' (Max required no more than 25')	<u>Min:</u> 25% or 20' (Max required no more than 75')	<u>Min:</u> 75'	<u>Min:</u> 6,000 (10,000 Duplex)	<u>Min:</u> 60'

- Any discrepancy between the dimensional standards found in this table and the dimensional standards found in **Article 4** shall be made in favor of those standards found in **Article 4**. Measurement of and exceptions to coverage, setback and height standards are found in **Article 5**.
- Except in the Institutional District, use the median front setback of principal structures on lots having the same street frontage within the same block of the subject property.
- All structures shall be setback 12-feet from the curb on a public street except as otherwise allowed by the DRB for development on Center Street, on both sides of Pine Street between Cherry and Pearl Streets, on the east side of Pine Street between Bank and Main Streets, on the west side of Pine Street between College and Main Streets and on South Winooski Avenue between Bank and College Streets, all structures shall be setback at least twelve feet from the curb on a public street. The DRB may order a wider setback in any case under its review if it should determine that the application cannot be approved under applicable criteria without such additional setback.



82 S. Winooski Ave.
Burlington, VT 05401
802-861-9700
www.citymarket.coop

Planning Commission, City of Burlington
City Hall
Burlington, VT 05401

March 14, 2017

Dear Planning Commissioners:

On behalf of City Market, I'm requesting an amendment to Burlington's Comprehensive Development Ordinance, Article 7: Signs, Section 7.2.5 Signs in Enterprise Districts. This section specifically prohibits illuminated signs. Currently Burlington allows signs in its Mixed Used Districts to be illuminated and we would ask that the same language apply to the Enterprise Districts as well.

I understand that in the recent past the Planning & Zoning office started using a tighter interpretation of Section 7.2.5(c) such that absolutely no illuminated signs are allowed in the Enterprise Districts. Prior to that time, several property owners were allowed various types of illumination for their signs and such signs still exist in the Enterprise Districts.

City Market has contracted with Glaeser Signs (on Flynn Avenue in Burlington) to design and install the signs for our South End store. As we work through the design process, at least three of the four planned signs will need illumination in order to be visible at various times of the day and seasonally. The design and installation process will vary based on whether or not the signs are illuminated so we would, therefore, like to request an amendment before we get too far with our designs.

I would appreciate time on your March 28 agenda to discuss this topic and start the process for this request. Many thanks for your consideration.

Sincerely,

John Tashiro
General Manager

Cc: David E. White, AICP
City of Burlington, Director of Planning & Zoning

Scott Gustin, AICP, CFM
City of Burlington, Principal Planner for Development Review

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
vacant, Youth Member*



Burlington Planning Commission **Tuesday, February 28, 2017, 6:30 P.M.** **Conference Room 12, City Hall, 149 Church Street** **DRAFT Minutes**

*Note: times given are
approximate unless
otherwise noted.*

Present: B. Baker, A. Friend, E. Lee, H. Roen, J. Wallace-Brodeur
Staff: D. White, S. Gustin, M. Tuttle, L. Brelsford

I. Agenda

Called to order at 6:33

II. Public Forum

No members of public spoke.

III. Report of the Chair

B Baker chaired the meeting in A Montroll's absence. No report made.

IV. Report of the Director

D. White: The DRB met on 2/21/17 regarding the Burlington Town Center plans. They will deliberate on 3/6/17. D White and M Tuttle are wrapping up projects, and setting sights on finishing other projects. Council approved change to open staff position, has been advertised. David will be out of the office 3/9 – 3/19/17.

M. Tuttle: New city email addresses should be used for all official board correspondence. Next meeting, will hear a presentation from a BHS student interested in the Youth Member board position. A Friend can assist as a mentor to him.

V. Public Hearing: Proposed ZA-17-08 Food and Beverage Processing

B Baker opened the public hearing at 6:45pm.

M. Tuttle provided an overview of the amendment.

D. Colangelo, CEDO: The size limit of 25,000 square feet is too large for Downtown or Neighborhood Mixed Use zones; suggest smaller limit.

E. Lee: Size could be controlled through Conditional Use review.

D. White: Agree that size should be brought down a bit, but need to be clear on what it is rather than leave room for subjectivity in the review process. The number should be closer to what we ultimately want it to be.

J Heilenbach, Citizen Cider: Citizen Cider facility in the ELM is 18,000 square feet.

J. Wallace-Brodeur: In favor of lower size limit for Neighborhood Mixed Use.

This agenda is available in alternative media forms for people with disabilities. Individuals with disabilities who require assistance or special arrangements to participate in programs and activities of the Dept. of Planning & Zoning are encouraged to contact the Dept. at least 72 hours in advance so that proper accommodations can be arranged. For information, call 865-7188 (865-7144 TTY). Written comments may be directed to the Planning Commission at 149 Church Street, Burlington, VT 05401.

Planning Commission Agenda
March 28, 2017
Page 39 of 45

E. Lee: The size could be a market driven factor, don't think we'll see something 25,000 sq.ft. in these zones because there aren't spaces that large and price would dictate.

A Friend: Why no size limits in the E-LM zone?

M. Tuttle: This is a place where we want to encourage these uses. For Downtown & Neighborhood Mixed Use zones, perhaps a limit of 10,000 sq.ft.? Want it to be small enough to control potential impacts, but large enough to allow for flexibility of the uses.

J. Wallace-Brodeur: Smaller size limits work well with neighborhoods and smaller commercial businesses. Also traffic would be less impacted by smaller sized projects.

D White: Should also consider allowing this as a permitted, rather than conditional, use in the E-Agricultural district?

H. Roen: 10,000 sq.ft. sounds good.

The Commission unanimously approved a motion by H Roen, seconded by A Friend, to send the proposed amendment and modified Municipal Bylaw Amendment report to City Council with recommendation with the following changes: Food & Beverage Processing becomes a permitted use in E-AE district, and maximum limit on operation in neighborhood and downtown zones is 10,000 sq.ft.

VI. Proposed CDO Amendment: Emergency Shelters

S. Gustin presented a proposed amendment from the Ordinance Committee that creates a definition for emergency shelters and establishes parameters for unit count, spacing, parking, etc.

B. Baker: How would spacing limitations work if a new shelter were to locate near a pre-existing shelters that was formerly defined as a community house?

S. Gustin: I don't think the limitation would apply; staff would issue a determination. This only applies for emergency shelters in residential areas.

M. Monte: If the 1,000 sq.ft. requirement could be eliminated, these uses could cluster in the downtown and transition zones.

J. Wallace-Brodeur: What is a Community House?

S. Gustin: Community Houses are more permanent housing, while Emergency Shelters are temporary, and defined as "shared, supervised, living arrangements".

J. Wallace-Brodeur: Does the potential for disruptive behavior necessitate a buffer zone?

E. Lee: They are by nature disruptive. However, the whole city needs to share the responsibility for the location of these shelters. If there is a vacant building that suit these needs, it should be utilized, regardless of the neighborhood it is in. Also do not feel that we should define what streets these may be located on.

J. Wallace-Brodeur: We shouldn't codify where there should be a buffer zone and where there shouldn't.

S. Gustin: There will be a need for access to public transportation.

E. Lee: We don't need to regulate access to transportation; shelters will locate where services are available for their guests.

S. Gustin: Additionally, unit density limits will regulate potential sites.

B. Baker: RH zones will be the more likely zone for creation of these shelters. Lot coverage and parking limits will impact potential sites as well.

J. Wallace-Brodeur: Is it necessary to require parking for these uses? Let's strike minimum parking requirements.

M. Monte: The less parking the better.

E. Lee: We need to reduce barriers to establishing these types of services in the community.

E Ahearn, Safe Harbor: It would be better to increase the staff to resident ratio during sleeping hours from 1 : 20 to 1 : 25; we do not always need that many staff during sleeping hours, and we are currently providing much higher staffing ratios during the daytime.

B Baker: Let's delete 2nd paragraph regarding streets on which these can be located, increase the staff ratio, and eliminate parking requirement and buffer zones.

The Commission unanimously approved a motion by J Wallace-Brodeur, seconded by A Friend, to make the changes to the proposed amendment as articulated by B Baker, for staff to prepare the Municipal Bylaw Amendment report, and for the amendment to be warned for public hearing.

VII. Committee Reports

No reports.

VIII. Commissioner Items

Ordinance Committee: Met on February 2 regarding emergency shelters, will meet on March 2 to discuss Green Roof amendment.

IX. Minutes & Communications

The Commission unanimously approved a motion by A. Friend, seconded by J. Wallace-Brodeur, to accept the minutes of the January 24, 2017 meeting and communications.

X. Adjourn

The Commission unanimously approved a motion by H. Roen, seconded by J. Wallace-Brodeur to adjourn the meeting at 7:35pm.



State of Vermont

Office of Planning

1 National Life Drive, Davis 2

Montpelier, VT 05620-3901

Ph: (802) 923-6647

Agency of Natural Resources

January 19, 2017

Judith Whitney, Clerk
Vermont Public Service Board
112 State Street – 4th Floor
Montpelier, VT 05620-2701

Re: NMP-XX-XXXX Flynn Ave Solar, LLC – 199 Flynn Avenue, Burlington, VT

Dear Ms. Whitney:

On December 30, 2016, LLC filed a petition under 30 V.S.A. §§ 219a and 248 for a certificate of public good (CPG) authorizing installation and operation of a 493 kW solar electric generation facility in Burlington, VT (Project). The Agency of Natural Resources (Agency) received the petition on January 4, 2017. The Agency has reviewed petition and offers the following comments.

Under Board Rule 5.110, a person “must make a showing that the application raises a significant issue regarding one or more of the applicable criteria listed in Section 5.108 or the criteria conditionally waived in that section” to successfully petition the Board for a technical evidentiary hearing.¹ “Such a showing must go beyond general or speculative claims, and provide specific information regarding potential impacts for the criteria or the criteria conditionally waived in that section.”² Thus, ANR makes the required showing to justify conditions or a hearing where ANR raises a significant issue by providing specific information related to potential impacts for criteria.

Wetlands

The project has the potential to cause an undue adverse impact to Wetlands under Criterion 1(G). Criterion 1(G) states:

Wetlands. A permit will be granted whenever it is demonstrated by the applicant, in addition to other criteria, that the [project] will not violate the rules of the Secretary of Natural Resources, as adopted under Chapter 37 of this title, relating to significant wetlands.³

¹ Board Rule 5.110(B) - (C).

² *Id.*

³ 30 V.S.A. § 248(b)(5); 10 V.S.A. 6086(a)(1)(G).

The Application includes Exhibit EPF-2, Natural Resources Assessment Report, which identified a small forested wetland along the western edge of the project site. The wetland was identified outside of the typical growing season and the delineation and classification were not confirmed by the Agency's Wetland Program. Project activities will be limited to roof tops, paved areas and mowed lawns greater than 75 feet from the approximate wetland boundary. Due to the proximity of activities to wetland and lack of information to the Wetlands Program, the Agency requests the following conditions in the CPG to avoid an undue adverse impact on the wetland:

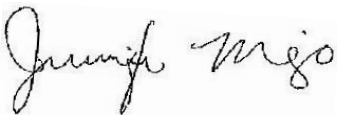
The Project shall avoid impacts to Class II wetlands and 50 foot wetlands buffer zone, or Flynn Avenue Solar, LLC shall obtain and comply with the provisions of a Vermont Wetlands Permit for any activity that is not an allowed use designated in Section 6 of the Vermont Wetland Rules⁴.

If the Project is within 100 feet of any Class II wetlands buffer boundaries, then prior to site preparation, construction, maintenance that involves earth disturbance, or decommissioning, Flynn Avenue Solar, LLC shall install a continuous line of flagging tape along the buffer zone boundary to identify the wetland buffer zone as a protected area.

Absent compliance with the conditions requested above, the Project, as proposed, raises significant issues with regard to criteria under Section 248(b)(5). The Agency is authorized to represent the Petitioner has agreed to the above conditions.

Thank you for the opportunity to comment. Please let me know if I can be of any further assistance to you in this matter. I can be reached at (802)923-6647 or jennifer.mojo@vermont.gov.

Respectfully submitted,



Jennifer Mojo
ANR Regulatory Policy Analyst

Cc: Joshua Leckey - Flynn Ave Solar, LLC
Steph Hoffman/Angela Valentinetti - DPS
Pam Allen - GMP
Chittenden County RPC
City of Burlington Planning Commission & City Council c/o City Clerk

⁴ http://dec.vermont.gov/sites/dec/files/documents/WSMD_VermontWetlandRules_2010_7_16.pdf



COMMUNITY & ECONOMIC DEVELOPMENT OFFICE

149 CHURCH STREET • ROOM 32 • CITY HALL • BURLINGTON, VT 05401
(802) 865-7144 • (802) 865-7024 (FAX)
www.burlingtonvt.gov/cedo

RECEIVED
MAR 03 2017

VIA INTEROFFICE MAIL

March 2, 2017

Burlington Planning Commission

**DEPARTMENT OF
PLANNING & ZONING**

**RE: Environmental Review Legal Notice
Affordable Housing at Cambrian Rise
Located in the larger parcel at 351 North Ave. (future address yet to be determined)**

To whom it may concern,

For your review, enclosed please a copy of the environmental review legal notice published on Wednesday, March 1, 2017.

Please let me know if you have any questions or need further information.

Very Truly Yours,

Todd Rawlings
Housing Program Manager
Community & Economic Development Office
Burlington, Vermont
802.652.4209 (office)
802.865.7024 (fax)
trawlings@burlingtonvt.org

Encl.

Copy: File (w/o enclosures)



EQUAL HOUSING OPPORTUNITY



(CONTINUED)

111 West Street
Essex Jct., VT 05452
802-879-5662
stephanie.monaghan@vermont.gov

**ACT 250 NOTICE
MINOR APPLICATION
#4C1002-10
10 V.S.A. §§ 6001
- 6093**

On February 21, 2017, Brennan Woods Homeowner's Association, Inc., 726 Hanon Drive, Williston, VT 05495 filed application #4C1002-10 for a project generally described as construction of stormwater pond improvements. The Project is located on Barrett Lane in Williston, Vermont.

The District #4 Environmental Commission is reviewing this application under Act 250 Rule 51 - Minor Applications. Copies of the application and proposed permit are available for review at the office listed below. The application and a draft permit may also be viewed on the Natural Resources Board's web site (www.nrb.state.vt.us/lup) by clicking on "Act 250 Database" and entering the project number: #4C1002-10.

No hearing will be held and a permit may be issued unless, on or before March 16, 2017, a person notifies the Commission of an issue or issues requiring the presentation of evidence at a hearing or the Commission sets the matter for hearing on its own motion. Any hearing request must be in writing to the address below, must state the criteria or subcriteria at issue, why a hearing is required and what additional evidence will be presented at the hearing. Any hearing request by an adjoining property owner or other interested person must include a petition for a hearing, please contact the district coordinator at the telephone number listed below for more information. Prior to convening a hearing, the Commission must determine that substantive issues requiring a hearing have been raised.

Findings of Fact and Conclusions of Law will not be prepared unless the Commission holds a public hearing.

If you feel that any of the District Commission members listed on the attached Certificate of Service under "For Your Information" may have a conflict of interest, or if there is any other reason a member should be disqualified from sitting on this case, please contact the district coordinator as soon as possible, no later than prior to the response date listed above.

Should a hearing be held on this Project and you have a disability for which you are going to need accommodation, please notify us by March 16, 2017.

Parties entitled to participate are the Municipality, the Municipal Planning Commission, the Regional Planning Commission, affected state agencies, and adjoining property owners and other persons to the extent they have a particularized interest that may be affected by the proposed project under the 10 criteria. Non-party participants may also be allowed under 10 V.S.A. Section 6085(c)(5).

Dated at Essex Junction, Vermont this 23rd day of February, 2017.

By: Peter E. Keibel
District #4 Coordinator
Natural Resources Board
111 West Street,
Essex Jct., VT 05452
802-879-5658
Peter.Keibel@vermont.gov

**BURLINGTON
DEVELOPMENT
REVIEW BOARD
TUESDAY MARCH 21,
2017, 5:00 PM
PUBLIC HEARING
NOTICE**

The Burlington Development Review Board will hold a meeting on Tuesday March 21, 2017 at 5:00pm in Contois Auditorium, City Hall.

1. 17-0762CA/CU; 35 GROVE STREET (RL Ward 1E) Russell B. Higgins and Gina S. Lambdin Expand existing single family residence, add accessory dwelling unit, and change parking layout. (Project Manager, Mary O'Neill)

2. 17-0763CU; 311 NORTH AVENUE (RM-W, Ward 4N) VLTBTV Parkland LLC Change of use from post-secondary school to community house.

(Project Manager, Ryan Morrison)

3. 17-0776CU; 449 SOUTH PROSPECT STREET (RL Ward 6S) Chris Khamnei Change of use from single family to duplex and expand driveway. (Project Manager, Scott Gustin)

Plans may be viewed in the Planning and Zoning Office, City Hall, 149 Church Street, Burlington, 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 Planning and 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/pz/drba/agendas or the office notice board, one week before the hearing for the order in which items will be heard.

**CERTIFICATION OF
ABANDONMENT OF
GAS AND OIL LEASE
PURSUANT TO 29
V.S.A. 563(B)**

WHEREAS, property known as 114 Richmond Lane, Colchester, Vermont, containing .33 acres, more or less, and being all and the same lands and premises conveyed to Roger D. Dandurand and Sue S. Dandurand by Warranty Deed of Gardner Construction, Inc., dated August 10, 1995 and recorded in Volume 250, Page 34 of the Town of Colchester Land Records, is subject to an Oil and Gas Lease (the "Lease") conveyed by Louise Cross to Vermont Natural Gas and Mineral Corporation dated November 30, 1957 and recorded in Miscellaneous Volume 9, Page 292 of the Town of Colchester Land Records;

In regard to such Lease, the undersigned certify that from their personal knowledge:

a. The Lease Interest is abandoned because the Lease has not been used for a continuous period of 10 years after July 1, 1973 and no statement of interest has been filed within the preceding five years;

b. There has been no actual production of oil or gas, including production from lands covered

by the Lease, or from lands pooled or unitized with such lands;

c. No oil and gas operations are conducted under the terms of the Lease;

d. No payment has been made of rental or royalties for the purposes of delaying the use or continuing the use of the oil and gas interest;

e. No payment of taxes has been made on the oil and gas interest;

f. There does not exist a currently valid permit under chapter 151 of Title 10 or a currently valid drilling permit under the chapter for development of the oil and gas interest.

Dated this 17th day of February, 2017.

/s/ Roger D. Dandurand
Record Owner - Roger D. Dandurand

/s/ Sue S. Dandurand
Record Owner - Sue S. Dandurand

**STATE OF VERMONT
COUNTY OF CHITTENDEN**

At Colchester in said County and State this 17th day of February, 2017, personally appeared Roger D. Dandurand and Sue S. Dandurand and they acknowledged this instrument, by them sealed and subscribed to be their free act and deed.

Before me, /s/ Erin E. Murphy,
Notary Public
My commission expires: 2/10/19

**COMBINED NOTICE
OF FINDING OF NO
SIGNIFICANT IMPACT
AND NOTICE OF INTENT
TO REQUEST RELEASE
OF FUNDS
CITY OF BURLINGTON
& STATE OF VERMONT
March 1, 2017**

Mayor Miro Weinberger
City of Burlington
149 Church Street
Burlington, VT 05401
802-865-7272

Vermont Agency of Commerce and Community Development
Katie Buckley, Commissioner, Vermont Department of Housing and Community Development
One National Life Drive,
Davis Building, 6th Floor
Montpelier, VT 05620
802-828-1357

These notices shall satisfy two separate but related procedural requirements for activi-

ties to be undertaken by the City of Burlington and the Vermont Agency of Commerce and Community Development (the Agency).

Request for Release of Funds

On or about March 17, 2017, the City of Burlington will submit a request to HUD to release funds under Title II of the Cranston-Gonzalez National Affordable Housing Act, as amended; and the Agency will submit a request to HUD to release funds under the Economic Development Initiative (EDI) - Special Project Grants, as amended, to undertake a project known as Affordable Housing at Cambrian Rise for the purpose of creating affordable housing through the construction of up to 160 units of new, primarily affordable housing serving low and moderate income households. The project is located at 351 North Ave, Burlington (future address yet to be determined). The total estimated cost of the project is \$40,000,000; approximately \$495,000 of HOME Investment Partnership Program Funds, and approximately \$400,000 of Vermont Housing and Conservation Board (VHCB) Land Bank Loan Funds (revolved FFY09 and FFY10 HUD EDI Special Project Grant funding) for the acquisition of the site prior to the development and construction costs. Project and/or tenant assistance may be used for the proposed units. This project includes new construction and the buildings will be constructed using radon resistant construction methodologies. Post-construction radon tests will be completed by a certified radon professional; additional mitigation will be required if results show elevated radon levels. No federal funds for development shall be committed prior to State Historic Preservation Officers (SHPO) approval of the project plans for new construction. This project shall receive all applicable zoning permits. All permit conditions shall be followed and all permits shall be closed out upon completion. Project shall receive all applicable permits and a certificate of occupancy shall be obtained upon project completion. Project shall be in compliance with the approved Erosion Prevention and Sediment Control Plan and

Stormwater Management Plan. ACT 250 will apply to the entire PUD project at 351 North Avenue, of which this property is a part. ACT 250 permit will be obtained and all conditions shall be met. All applicable, local, state and federal permits and approvals shall be obtained, all conditions shall be followed, and all permits shall be closed out upon completion. Consistent with the updated Phase I ESA dated November 7, 2016, the project site (Champlain Housing Trust/Cathedral Square site) shall be tested for the presence of typical urban contaminants (PAHs, arsenic, and lead) in the shallow soil. Known contamination shall be incorporated into soil management protocols and remediated.

Finding of No Significant Impact

The City of Burlington and the Agency have determined that the project will have no significant impact on the human environment. Therefore, an Environmental Impact Statement under the National Environmental Policy Act of 1969 (NEPA) is not required. Additional project information is contained in the Environmental Review Record (ERR) on file at the municipal office of the City of Burlington Community & Economic Development Office located at 149 Church Street, Room 32, Burlington, VT 05401 and may be examined or copied weekdays 8:30AM to 4:30PM, or at the Agency at One National Life Drive, Davis Building, 6th Floor, Montpelier, VT 05620, and may be examined or copied Monday through Friday from 7:45AM to 4:30PM.

Public Comments

Any individual, group, or agency may submit written comments on the ERR to the City of Burlington regarding the use of HOME funds. Attn: Mayor Miro Weinberger, or to the Agency for the use of VHCB Land Bank Loan/HUD EDI Special Project Grant Funds, Attn: Environmental Officer, to the corresponding addresses listed above. All comments received by March 16, 2017, will be considered by the City of Burlington and the Agency prior to authorizing the submission of a request for release of funds. Comments must specify

which Notice they are addressing—the Finding of No Significant Impact or the Request for the Release of Funds.

Environmental Certification

The City of Burlington is certifying to HUD that the City of Burlington and Miro Weinberger in his official capacity as Mayor, and the Agency is certifying to HUD that the Agency and Katie Buckley, in her official capacity as Secretary of the VT Agency of Commerce and Community Development, consent to accept the jurisdiction of the Federal Courts if an action is brought to enforce responsibilities in relation to the environmental review process and that these responsibilities have been satisfied; HUD's approval of the certification satisfies its responsibilities under the National Environmental Policy Act and related laws and authorities and allows the City of Burlington to use HOME funds and the Agency to use the VHCB Land Bank Loan/HUD EDI Special Project Grant Funds.

Objections to Release of Funds

HUD will accept an objection to its approval of the release of funds and the City of Burlington and the Agency's certification for a period of fifteen days following the anticipated submission date or its actual receipt of the request (whichever is later) only if they are on one of the following bases: (a) the certification was not executed by the Certifying Officers, Mayor Miro Weinberger/Katie Buckley; (b) the City/Agency has omitted a step or failed to make a decision or finding required by HUD regulations at 24 CFR part 58; (c) the grant recipient or other participants in the development process have committed funds, incurred costs or undertaken activities not authorized by 24 CFR Part 58 before approval of a release of funds by the HUD; or (d) another Federal agency acting pursuant to 40 CFR Part 1504 has submitted a written finding that the project is unsatisfactory from the standpoint of environmental quality. Objections must be prepared and submitted in accordance with the required procedures (24 CFR Part 58, Sec. 58.76) and shall be addressed to the US Department

of HUD - Boston Field Office, Community Planning and Development, Thomas P. O'Neill, Jr. Federal Building, 10 Causeway Street, 3rd Floor, Boston, MA 02222-1092. Potential objectors should contact the HUD to verify the last day of the objection period.

NOTICE OF SALE

According to the terms and conditions of a Judgment and Decree of Foreclosure by Judicial Sale (the Order) in the matter of New England Federal Credit Union v. Josef Roubal, MI Young Roubal and Any Tena residing at 401 Depot Road, Colchester, VT, Vermont Superior Court Chittenden Unit - Civil Division, Docket No. 15 Cncv, foreclosing mortgage given by Josef Roubal and MI Young Roubal to New England Federal Credit Union, recorded March 19, 2012, as recorded in Volume 7, Page 1 of the Colches and records (the Mortgage) presently held by Plaintiff New England Federal Credit Union, the purpose of foreclosing the Mortgage for breach of the conditions of the Mortgage, the state with an E-911 address of 401 Depot Road, Colchester, Vermont (the Property) will be sold at public auction at 10:00 a.m. on April 4, 2017 at the location of the property.

Property Description: The Property to be sold is all and the same land and premises described in the Mortgage, and further described as follows:

Being all and the same lands and premises conveyed to Josef Roubal and Jara Roubal (now deceased) by Warranty Deed of Esther Roubal dated July 29, 1999, recorded in Volume 389 of the Town of Colchester Land Records.

The Property may be subject to easement rights-of-way of record and other interests of record.

Terms of Sale. The Property will be sold to the highest bidder, who will pay \$10,000.00 in cash, certified check made payable to Kohn Rath Danon Ly & Charf, LLP Client Trust Account (or wire transfer, if arrangements for wire transfer are made at least five business days in advance, confirmation

SEVENDAYSVT.COM
03/01/17-03/08/17
SEVEN DAYS
C-4 CLASSIFIEDS

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
vacant, Youth Member*



Burlington Planning Commission Tuesday, March 28, 2017, 6:30 P.M. Conference Room 12, City Hall, 149 Church Street **AGENDA**

*Note: times given are
approximate unless
otherwise noted.*

I. Agenda

II. Public Forum - Time Certain 6:30 p.m.

III. Report of the Chair

IV. Report of the Director

V. Presentation- Youth Board Member (10 min)

Eamon Dunne, a student at Burlington High School, has applied to participate as the Youth Member of the Planning Commission. During the meeting, Eamon will provide a presentation to introduce himself to the Commission and discuss his interest in participating on the Planning Commission.

VI. Presentation- Regional Bike Share Pilot (20 min)

Nic Anderson, Associate Director of Sustainable Transportation for Champlain College, will provide a presentation on a Regional Bike Share Pilot that is anticipated to launch in Summer 2017. This pilot will advance a goal of the City's draft planBTV Walk/Bike and of UVM and Champlain College's respective Active Transportation Plans, and supported by a 2011 Bikeshare Study conducted by Local Motion and CATMA's goals to enhance transportation options for its users.

VII. Proposed ZA-17-10 Green Roof Lot Coverage (15 min)

The proposed amendment to the *Burlington Comprehensive Development Ordinance* provides guidance on how to calculate lot coverage for green roofs when they are constructed at grade, partially at grade, and above grade. The Commission will consider a revised recommendation from the Commission's Ordinance Committee.

VIII. Proposed ZA-17-12 CDO Technical Corrections (20 min)

The proposed amendment to the Burlington Comprehensive Development Ordinance addresses a number of errors and omissions discovered by staff and project applicants. Staff recommends this amendment as a "housekeeping" ordinance to correct these errors simultaneously. Staff will discuss these amendments, including the one tied to the enclosed communication from City Market regarding lighted signage in the E-LM district.

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IX. Committee Reports

X. Commissioner Items

XI. Minutes & Communications

The Commission will review and approve the minutes of the February 28, 2017 meeting and communications.

XII. Adjourn

Next Meeting: April 11, 2017 @ 6:30pm in Conference Room 12, City Hall

Regional Bike Share Pilot

2017 Launch



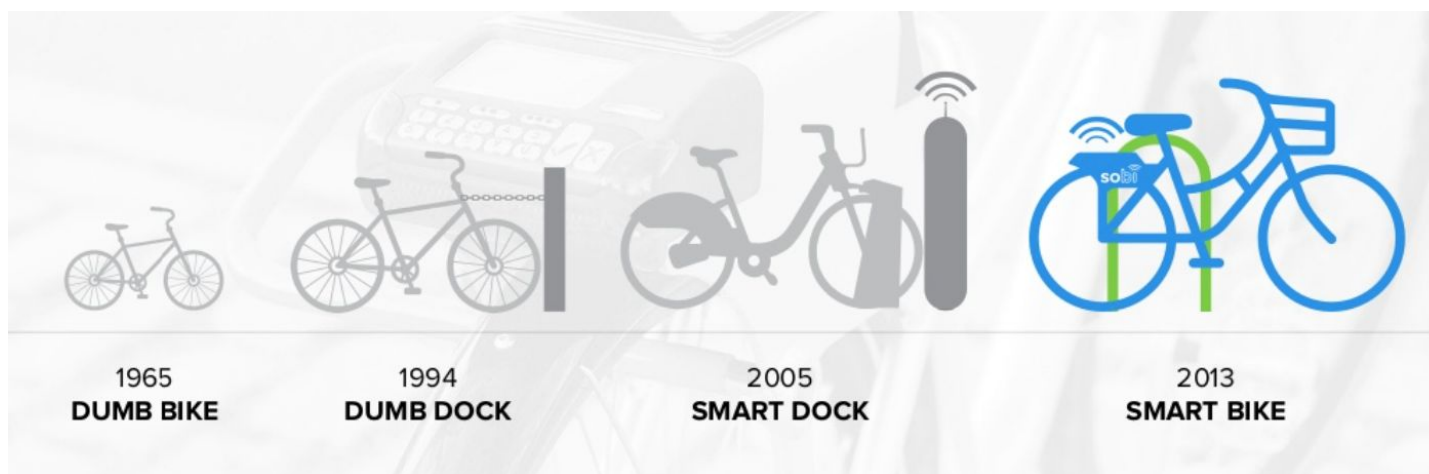
PLEASE NOTE: Mock-up shown is only for reference.

●●● WHY BIKE SHARE?

BIKE SHARE PROGRAMS ARE SPREADING ACROSS THE U.S.

There are over 50,000 shared bikes in 100+ urban areas, up from just a handful of programs in 2010. In addition, more than 30 colleges / universities have rolled out bike share programs.

More and more bikeshares systems have “smart bikes” which can help overcome a lot of barriers such as system flexibility and costs.



According to the National League of Cities' Center for Research & Innovation, **benefits of bike share programs include:**

- Low-cost public transit option for users
- Cost-effective infrastructure investment for cities
- Reduced congestion and wasted fuel
- Improved access to jobs
- Higher retail exposure and home values
- Increased connectivity and physical activity
- Decreased air pollution



THE MISSION...

TO TRANSFORM OUR REGION BY PROVIDING A HIGH QUALITY, CONVENIENT AND AFFORDABLE BIKESHARE SYSTEM THAT WILL CONNECT PEOPLE TO MORE PLACES WHERE THEY LIVE, WORK, AND PLAY IN CHITTENDEN COUNTY BY:

- Enhancing transportation options and connectivity
- Providing an affordable transportation option
- Improving access (in all senses of the word)
- Reducing car dependence
- Improving individual and community health
- Providing first/last mile connections
- Reducing greenhouse gas emissions
- Increasing new bike ridership and ownership

●●● THIS IS NOT “NEW STUFF”

Champlain College, UVM and City of Burlington Employees already have “bike library” bikeshare systems.

Bikeshare has been studied, anticipated and encouraged through previous City and institution planning efforts:

- Plan BTV Walk/Bike (snips from draft below),
- UVM Active Transportation Plan,
- Champlain Active Transportation Plan
- 2011 Bikeshare Study by Local Motion
- CATMA goal of enhancing transportation options



●●● PLAN BTV WALK/BIKE



*Bike Share station in Aspen, CO.
(Photo by Frias Properties of Aspen.)*

#7: Implement a robust bicycle sharing system.

Work with key institutional partners such as the University of Vermont and Champlain College to create a public bicycle share program. The first step is to build from the 2011 Chittenden County Bike Share Feasibility Study to conduct a detailed, localized study to guide implementation. The study should recommend a preferred fleet system and include detailed guidance on station locations, with a phased plan for roll out. It should also provide recommendations related to funding and maintenance. Once a detailed study has been completed, Burlington should seek program funding through public health and transportation organizations, as well as local corporate and foundation sponsors. Once funding is solidified, Burlington can implement a cost-effective, high-density, equitable bike share system for Burlington's residents and visitors.

#4: Expand Use of Pilot and Demonstration Projects

City Ordinance allows the Department of Public Works to implement temporary traffic and parking projects on all public streets, making use of short-term or "pilot projects" to evaluate the merits and impacts of proposed street design projects. Currently, pilot projects may be in place for up to 30 days. This time period should be extended to allow for pilots up to 12 months in duration, with the option for the use of more durable (but still removable) interim design measures in the 1-5 year time frame.

At the shorter end of the time scale, Burlington is working to develop a guide and policy to make it easier for everyday residents, advocacy organizations, and community groups to spearhead 1-7 day "demonstration projects" alongside DPW and



Photo by Julie Campoli.

Excerpt from page 60...

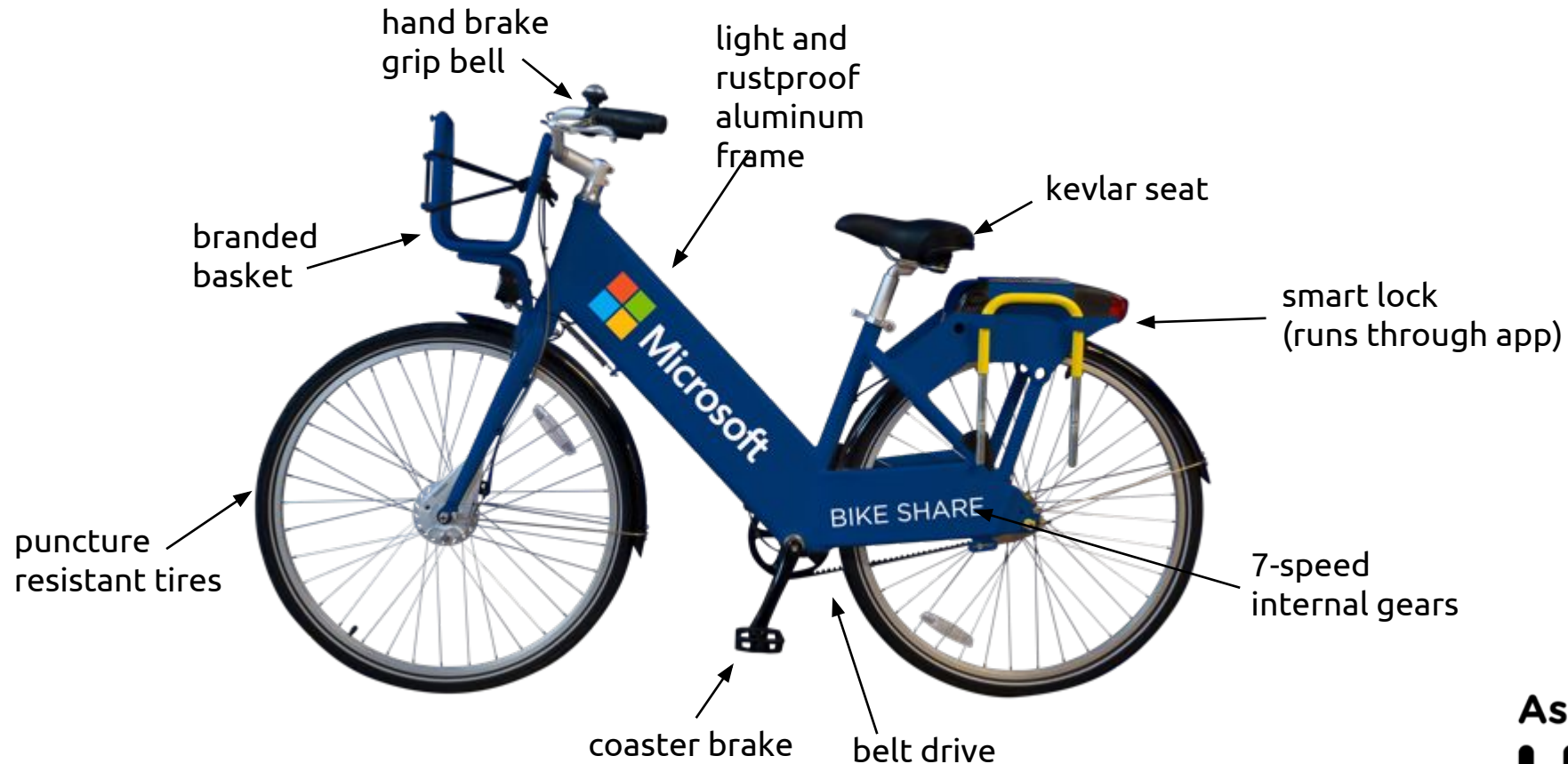
"*Note that the target timelines listed above assume the City leads this effort. If the City is able to serve as a leader and convener, but approach bike share implementation with a coalition of highly involved partners, implementation can and should be expected to occur much faster."

●●● WHAT IS GOTCHA BIKE?

INNOVATIVE TECHNOLOGY: The first bike share program that runs completely through a smartphone app/computer.

FULLY CUSTOMIZABLE: Sponsors brand on wheels! Gotcha Bikes offer maximum branding space and exact Pantone color matching.

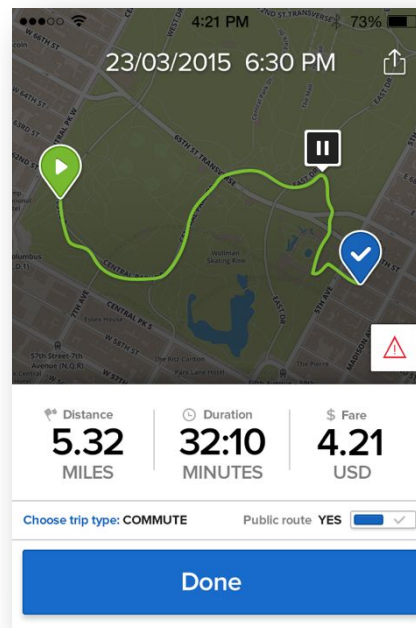
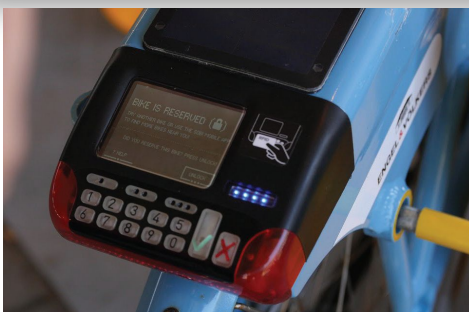
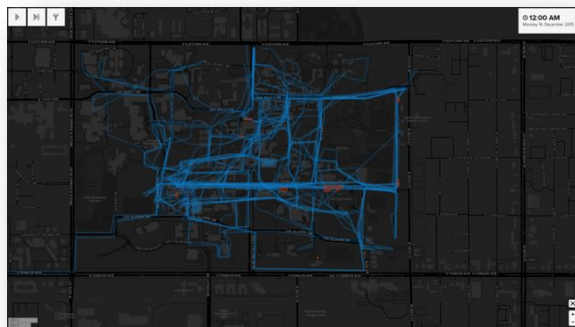
TURN-KEY SOLUTION: Gotcha manages all maintenance, operations and 24/7 rider support to ensure a successful system.



PLEASE NOTE: Mock-up shown is only for reference.

Assembled in the
USA 

●●● DATA CAPTURE & REPORTING



Smart GPS enabled bikes that show location at all times. Riders have the ability to view the following statistics:

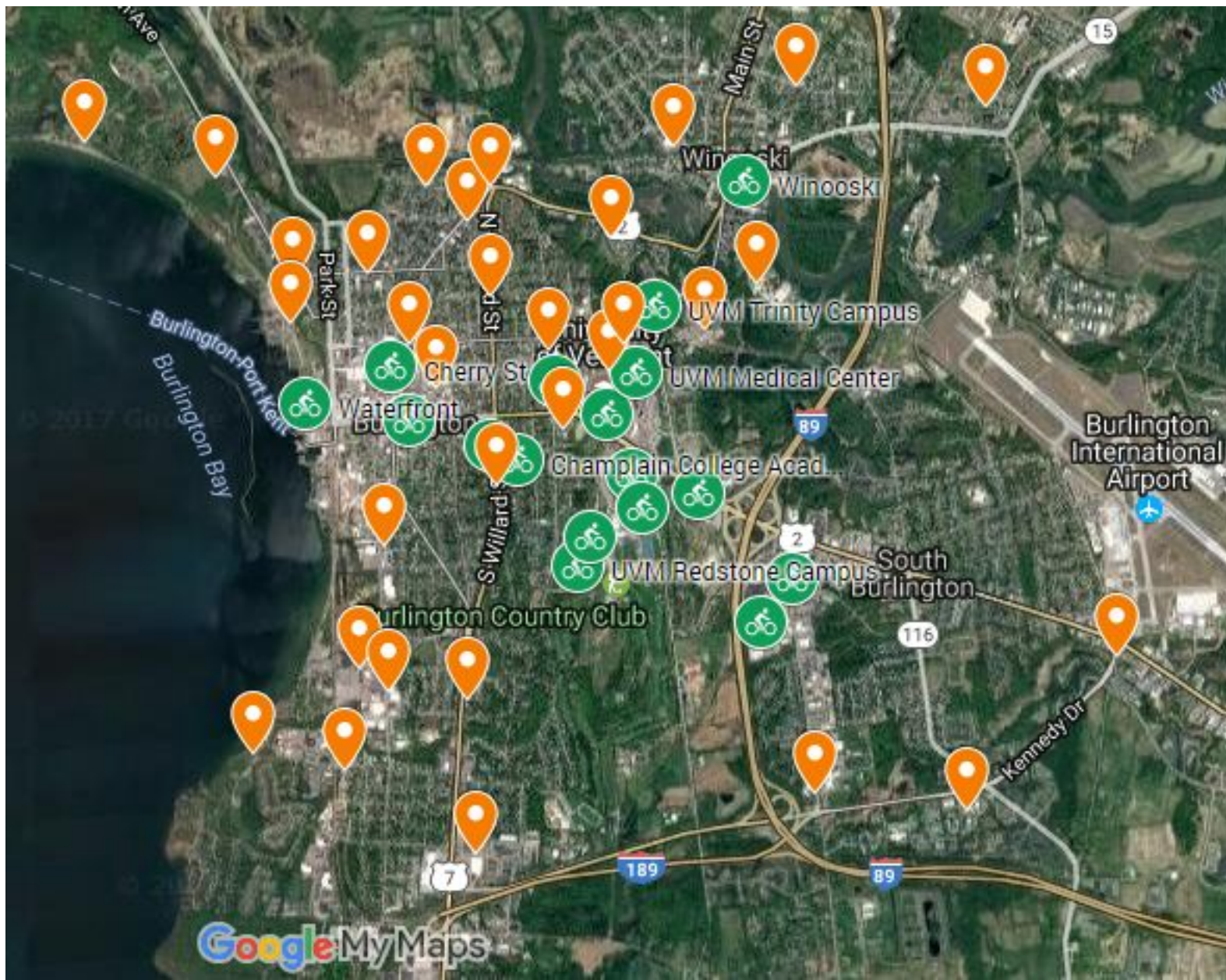
- Miles traveled
- CO2 reduced
- Calories burned
- Money saved versus driving

Admin have access to detailed ride data, including:

- Number of users
- Trips per day
- Total distance traveled (by member, week, month, year, etc.)
- Heat map (most heavily traveled routes)
- Frequency of trips by time of day
- Rentals by hub location (origin and destination)

*Heat map and frequency chart from Auburn University network

DRAFT MAP



Phase 1

- 100 bikes in approximately 18 hubs (including 25 E-bikes)
- Majority of hubs on UVM and Champlain campus
- A few hubs in key locations in Burlington

Phases 2 & 3

- Approx. 200 additional bikes in approx. 34 hubs
- All over Burlington, S. Burl Winooski, Colchester
- Primarily serving residents, commuters and employees

●●● NEXT STEPS

WHERE ARE WE AT?

- Finalized initial agreement
- Sourcing sponsorship
- E-bike development
- Developing program specifics (rates, service etc)
- Continuing to discuss with all stakeholders
- Hub location planning
- Anticipated pilot launch date Summer 2017



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
vacant, Youth Member*



Burlington Planning Commission **Tuesday, March 28, 2017, 6:30 P.M.** **Conference Room 12, City Hall, 149 Church Street** **Minutes**

*Note: times given are
approximate unless
otherwise noted.*

Present: A. Montroll, B. Baker, A. Friend, E. Lee, H. Roen, J. Wallace-Brodeur
Staff: D. White, M. Tuttle, S. Gustin, L. Brelsford

I. Agenda

The chair called the meeting to order at 6:37pm.

II. Public Forum

There were no members of public who wished to speak.

III. Report of the Chair

The chair had nothing to report.

IV. Report of the Director

D. White: Will be occupied with the Form Based Code for downtown now that major projects have largely cleared the office. 36 applicants for the Planning Tech position, will be reviewing soon.

M. Tuttle: Burlington's Downtown and Neighborhood Development Areas were renewed through 2022 by the VT Downtown Board this week. Thanks to the Commission for contributions to the successes in the last 5 years.

V. Presentation- Youth Board Member

Eamon Dunn, a freshman at BHS, was introduced as interested in the Youth Board Member seat, and was joyously greeted by the board.

M Tuttle: No formal appointment process by Council or Commission unless Commission would like to conduct a vote. Youth board member does not have a vote.

The Commission unanimously approved a motion by J. Wallace-Brodeur, seconded by A. Friend, to nominate Eamon Dunn as the youth member.

VI. Presentation- Regional Bike Share Pilot

Katie Martin, CATMA, and Jim Barr, UVM, gave a presentation on a regional Bike Share pilot anticipated to launch Summer 2017, with 100 bikes in various locations on campuses and throughout Burlington.

H. Roen: How do smart locks work?

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K. Martin: Explained interface with smartphones for locking, reservations, etc. Provisions will be made for those without smartphones.

A. Friend: How large will the hubs be?

J. Barr: 3-5 bikes per hub will be the average, with the larger hubs in the more popular locations accommodating up to 10 bikes. Not like docking stations in larger cities. These will utilize the standard "inverted U racks," painted a different color.

A. Friend: Is there a large enough demand from non-campus population to make this work?

J. Barr: CCRPC/Local Motion conducted a feasibility study which anticipated broad usership; pilot will reveal usage. Trying to keep costs low to improve feasibility of system.

VII. Proposed ZA-17-10 Green Roof Lot Coverage

S. Gustin: Updated amendment per Commission's request to define roof systems, distinguish between intensive and extensive, and make credits more straightforward.

B. Baker: How can we enforce maintenance?

S. Gustin: Failure to maintain will result in a violation subject to fines.

D. White: The structural and financial threat of failure of a roof system will compel maintenance. These are no small endeavor.

Gail Henderson-King, White & Burke: Positive that this amendment is clear and straight-forward; however, other communities do not distinguish between intensive and extensive, and reiterate D. White point that these are considerably more expensive than conventional roofs, which will motivate maintenance.

E. Lee: Are any of the roofs at the hospital less than 6", extensive roof?

G. Henderson-King: The Radiation-Oncology Building

E. Lee: Can people walk on it?

G. Henderson-King: Yes.

J. Wallace-Brodeur: Why do we delineate between extensive and intensive?

S. Gustin: Intensive roofs sustain durability and foot traffic. Also have a better appearance.

H. Roen: And have more storm water benefits.

A. Montroll: UVM wanted clarity on the Green Roof issue; increasing campus lot coverage was not the issue. There has been uncertainty in the campus lot coverage figure due to a DRB decision around the Radiation-Oncology Building for years.

The Commission unanimously approved a motion by A. Friend, seconded by E. Lee, to approve the Municipal Bylaw Amendment report and warn the amendment for public hearing.

VIII. Proposed ZA-17-12 CDO Technical Corrections

S. Gustin: Presented list of "house-keeping" issues and indicated that they are all a result of day-to-day implementation of the ordinance and that they do not impact policy.

A. Montroll: Supportive of all of these corrections; however, some fall under house-keeping and others seem to impact policy. Suggest dividing out policy items, such as sign illumination, and lot size, for the public hearing.

S. Gustin: The amendment related to lot size is simply an error that was not corrected in a previous amendment.

B Baker: "Appendix B" is really helpful and the Planning & Zoning Office should maintain it and keep it up to date. Need some ways for the ordinance to be more readable and navigable for the public.

A Montroll: Request that the department keep "Appendix B" up-to-date even if it is removed from the ordinance.

M Tuttle: If the Commission approves warning these amendments for hearing, with a separate amendment for lighted signage, should note that a new ZA-17-13 and a new report will be included in that hearing.

The Commission unanimously approved a motion by E. Lee, seconded by J. Wallace-Brodeur, to approve the Municipal Bylaw amendment report and warn the amendments for public hearing, with lighted signage in the enterprise districts as a separate amendment.

IX. Committee Reports

A Friend: The ordinance committee met to work on the Green Roof lot coverage amendment that was discussed at this meeting.

X. Commissioner Items

The Commission agreed to cancel April 11 and April 25 meetings due to Commissioner conflicts and schedule one special meeting on April 18.

XI. Minutes & Communications

The Commission unanimously approved a motion by B. Baker, seconded by A. Friend, to accept the minutes of the February 28, 2017 meeting and the communications.

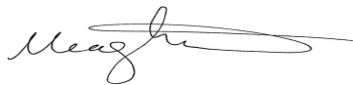
XII. Adjourn

The commission unanimously approved a motion by E. Lee, seconded by H. Roen, to adjourn the meeting at 8:05 pm.



Andy Montroll, Chair

Signed: April 21, 2017



Submitted by: Meagan Tuttle, Comprehensive Planner