

**Burlington Planning Commission
Ordinance Committee**

149 Church Street
Burlington, VT 05401
Telephone: (802) 865-7188
Fax: (802) 865-7195
www.burlingtonvt.gov/pz

*Bruce Baker
Lee Buffinton
Andy Montroll
Jonathan Stevens
Phil Hammerslough*



Burlington Planning Commission

Ordinance Committee

Meeting Notice

Thursday, March 5, 2015 @ 12:00 PM

Planning & Zoning Conference Room, Ground Floor, City Hall

AGENDA

1. 15-Year Statute of Limitations. Assistant City Attorney Sturtevant will discuss this issue as raised by the Planning Commission.
2. Review and discuss amendment regarding leasing of parking spaces as an accessory use rather than offsite leasing being considered a commercial parking lot use.
3. Work Plan – Review and ranking of work items for PCOC.
4. Low Impact Development (LID). Review the Conservation Board draft amendment to incentivize LID techniques to be used in Burlington.

Next Meeting – April 2, 2015

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 and Zoning are encouraged to contact the Department at least 72 hours in advance so that proper accommodations can be arranged.

Department of Planning and Zoning

149 Church Street
Burlington, VT 05401
Telephone: (802) 865-7188
(802) 865-7195 (FAX)
(802) 865-7142 (TTY)

David White, AICP, Director
Ken Lerner, Assistant Director
Sandrine Thibault, AICP, Comprehensive Planner
Jay Appleton, GIS Manager
Scott Gustin, AICP, Senior Planner
Mary O'Neil, AICP, Associate Planner
vacant, Zoning Clerk
Elsie Tillotson, Department Secretary



TO: Planning Commission Ordinance Committee
FROM: Scott Gustin and Megan Moir
DATE: March 5, 2015
RE: Low Impact Development (LID) Amendment to CDO

The purpose of this proposed amendment is to provide incentive for converting traditionally hard surfaces into green or pervious surfaces. The incentive is aimed at pervious pavements. Incentive associated with green roofs has not been included in this proposal but may be considered in the future. Driveway strips have also been considered. The requirement for paved parking areas associated with strip driveways should be eliminated, and, as a matter of interpretation, parking areas over driveway strips should not be counted as lot coverage.

Lot coverage for pervious pavements would be calculated at a reduced rate. The reduced rate would be tied directly to performance of the pervious pavement relative to the water quantity and water quality standards articulated in the Burlington Stormwater Credit Manual. For example, a pervious pavement installation qualifying for a 25% credit in the Stormwater Credit Manual would qualify for a 25% reduction in calculated lot coverage area (i.e. a 1,000 sf area would be calculated as 750 sf). The maximum coverage credit for the pervious driveway area would be 50%. In the case of strip driveways in which the strips are made of pervious paving materials, the property would be eligible for a 50% credit on the pervious pavement areas, with any grassed areas (the strip in the middle) not counting towards coverage totals.

Proposed CDO Language:

Article 5: Citywide General Regulations

Part 2: Dimensional Requirements

Sec. 5.2.3, Lot Coverage Requirements, (b) Exceptions to Lot Coverage:

1-8 as written.

9. Lot coverage for pervious pavement shall be calculated at a reduced rate determined by the performance measure achieved as articulated in Sections 3.2A, Water Quantity Reduction Credits, and 3.2B, Water Quality Treatment Credits, of the City of Burlington Stormwater Credit Manual. For the purposes of lot coverage calculation, the percentage of credit a pervious pavement installation qualifies for in the Manual shall be used as the percentage of reduction in lot coverage calculation. For example, a pervious pavement installation qualifying for a 25% credit in the Stormwater Credit Manual would qualify for a 25% reduction in calculated lot coverage area (i.e. a 1,000 sf area would be calculated as 750 sf). No credit in lot coverage calculation for pervious pavement surfaces shall exceed 50% or as limited by the lot coverage development bonus provisions of Article 4, whichever is lower. For the purposes of lot coverage only, the credit provisions of the Manual shall apply to all properties. For strip driveways, the pervious pavement credit may be applied to the "paved" strips.

The coverage credit shall apply to the entire surface area of the pervious pavement area.

Article 6: Development Review Standards

Part 2: Site Plan Design Standards

Sec. 6.2.2, Review Standards, (i) Vehicular Access:

Paragraph 1: as written.

Residential driveways shall be a minimum of 7 feet in width or consist of two 2' driveway strips made of pavement or pervious pavement. ~~Driveway strips shall be accompanied by a paved area for the parking and/or storage of motor vehicles.~~ The maximum width for single or shared access driveways shall be 18'. In a residential district, driveways and parking areas shall be set back a minimum of 5' from side and rear property lines. Driveways that have a slope of 25% or greater (towards the right of way) shall be made of a solid surface including conventional pavement, pavers or pervious pavement.

Paragraph 3: as written.

Article 13: Definitions

Building Coverage: That portion of lot coverage associated with buildings (primary and accessory buildings) but not including driveways, parking, patios, and the like.

Stormwater Administrator: The administrative officer of Chapter 26: Wastewater, Stormwater, and Pollution Control for the City of Burlington.

Pervious pavement: Pervious pavement is a permeable pavement surface with an underlying stone reservoir that temporarily stores surface runoff before infiltrating into the subsoil. Pervious pavement includes porous asphalt, pervious concrete, grass pavers, and plastic grid systems, or their equivalents as deemed acceptable by the Stormwater Administrator.

Department of Planning and Zoning

149 Church Street
Burlington, VT 05401
Telephone: (802) 865-7188
(802) 865-7195 (FAX)
(802) 865-7142 (TTY)

David White, AICP, Director
Ken Lerner, Assistant Director
Sandrine Thibault, AICP, Comprehensive Planner
Jay Appleton, GIS Manager
Scott Gustin, AICP, Senior Planner
Mary O'Neil, AICP, Associate Planner
Nic Anderson, Zoning Clerk
Elsie Tillotson, Department Secretary



TO: Planning Commission Ordinance Committee
FROM: Scott Gustin and Megan Moir
DATE: ~~April 7, 2014~~ January 9, 2014
RE: Low Impact Development (LID) Amendment to CDO

The purpose of this proposed amendment is to provide incentive for converting traditionally hard surfaces into green or pervious surfaces. The incentive is aimed at pervious pavements. Incentive associated with green roofs has not been included in ~~eliminated from~~ this proposal but may be considered in the future. Driveway strips have also been considered. The requirement for paved parking areas associated with strip driveways should be eliminated, and, as a matter of interpretation, parking areas over driveway strips should not be counted as lot coverage. In the coming year, we will be evaluating opportunities for incentives related to ~~Incentive related to~~ permit ~~fees~~ fees to incentivize pervious pavements where coverage limits are not an issue. However, as you are aware, changes to the fee schedule is tied to the Fee Schedule and will be handled separately. It does not ~~not~~ require a change to the CDO, and thus will be handled separately when we have pursued a more thorough review.-

Lot coverage for pervious pavements would be calculated at a reduced rate. The reduced rate would be tied directly to performance of the pervious pavement relative to the water quantity and water quality standards articulated in the Burlington Stormwater Credit Manual. For example, a pervious pavement installation qualifying for a 25% credit in the Stormwater Credit Manual would qualify for a 25% reduction in calculated lot coverage area (i.e. a 1,000 sf area would be calculated as 750 sf). The maximum coverage credit for the pervious driveway area would be 50%. In the case of strip driveways in which the strips are made of pervious paving materials, the property would be eligible for a 50% credit on the pervious pavement areas, with any grassed areas (the strip in the middle) not counting towards coverage totals.

Maximum bonuses are limited by ordinance section already (multiple bonus provisions may be made up to a maximum). This would be one more bonus that could be used towards the maximum. In order to discourage this bonus from being used to enable oversized buildings, in no event would building coverage be allowed to exceed the zoning district's standard lot coverage limitation.

Proposed CDO Language:

Article 5: Citywide General Regulations

Part 2: Dimensional Requirements

Sec. 5.2.3, Lot Coverage Requirements, (b) Exceptions to Lot Coverage:

9. Lot coverage for pervious pavement shall be calculated at a reduced rate determined by the performance measure achieved as articulated in Sections 3.2A, Water Quantity Reduction Credits, and 3.2B, Water Quality Treatment Credits, of the City of Burlington Stormwater Credit Manual. For the purposes of lot coverage calculation, the percentage of credit a pervious pavement

installation qualifies for in the Manual shall be used as the percentage of reduction in lot coverage calculation. For example, a pervious pavement installation qualifying for a 25% credit in the Stormwater Credit Manual would qualify for a 25% reduction in calculated lot coverage area (i.e. a 1,000 sf area would be calculated as 750 sf). No credit in lot coverage calculation for pervious pavement surfaces shall exceed 50% or as limited by the lot coverage development bonus provisions of Article 4, whichever is lower, and no case shall building coverage exceed the maximum permissible lot coverage for the zoning district. For the purposes of lot coverage only, the credit provisions of the Manual shall apply to all properties. For strip driveways, the pervious pavement credit may be applied to the “paved” strips.

The coverage credit shall apply to the entire surface area of the pervious pavement area.

Comment [SG1]: Yes, its supposed to.

Comment [MJM2]: Does this take care of making it clear that pervious driveways (as well as strip driveways – which is handled below) don't have to have their 2 parking spaces counted as full coverage?

Article 6: Development Review Standards

Part 2: Site Plan Design Standards

Sec. 6.2.2, Review Standards, (i) Vehicular Access:

Residential driveways shall be a minimum of 7 feet in width or consist of two 4.5'2'-driveway strips made of pavement or pervious pavement. Driveway strips shall be accompanied by a paved area for the parking and/or storage of motor vehicles. The maximum width for single or shared access driveways shall be 18'. In a residential district, driveways and parking areas shall be set back a minimum of 5' from side and rear property lines.

Driveways that have a slope of 2% or greater (towards the right of way) shall be made of a solid surface including conventional pavement, pavers or pervious pavement.

Comment [SG3]: Yes, good idea.

Comment [MJM4]: Can we include this to address the gravel driveway issue?

Article 13: Definitions

Building Coverage: That portion of lot coverage associated with buildings (primary and accessory buildings) but not including driveways, parking, patios, and the like.

Stormwater Administrator: The administrative officer of Chapter 26: Wastewater, Stormwater, and Pollution Control for the City of Burlington.

Pervious pavement: Pervious pavement is a permeable pavement surface with an underlying stone reservoir that temporarily stores surface runoff before infiltrating into the subsoil. Pervious pavement includes porous asphalt, pervious concrete, and grass pavers, and plastic grid systems, or their equivalents as deemed acceptable by the Stormwater Administrator.

z