



Burlington City Council Ordinance Committee

2/6/2020

City Council Ordinance Committee

Thursday, February 6, 2020

Conference Room 12

MINUTES

Members Present: Councilor Chip Mason (Chair), Councilor Sharon Bushor, Councilor Adam Roof

Staff Present: Kim Sturtevant (Assistant City Attorney), David White (Director, Office of City Planning), Jay Appleton (Department of Innovation and Technology) and Scott Gustin (Department of Permitting and Inspections)

Others in Attendance: None

Meeting called to order at 5:07 PM.

1. **Agenda**

1.01 Motion to adopt/amend agenda

Motion to adopt agenda as written.

Motion by Councilor Bushor, seconded by Councilor Mason.

Final Resolution: Motion Passes

Yes: Councilor Bushor, Councilor Mason

1. **Public Forum**

2.01 Public Forum

No public speakers

Closed public forum at 5:08 PM





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1. Minutes

3.01 Approval of Minutes of 11/26/19

Motion to approve minutes as presented per Councilor Bushor, seconded by Councilor Roof.

Final Resolution: Motion Passes

Yes: Councilor Mason, Councilor Bushor, Councilor Roof.

1. Committee Discussion/Possible Action

4.01 BCO—Streets and Sidewalks—E911—Building Numbering & Street Naming

D. White identified the status of the proposal, outlining changes from last version.

J. Appleton requested to change the notification time from 15 to 30 days on line 54.

Councilor Bushor questioned what “unnecessary hardship” is. J. Appleton responded that it was if they caused it themselves.

Councilor Bushor questioned lines 27-108, noting that it seemed inconsistent to file written appeal within 10 days when it gives 45 days to respond and 30 days after that. She also questioned whether it was 10 calendar or business days? D. White responded that it was mirrored from another section. C. Mason suggested to change it to be consistent to say 14 calendar days. Councilor Bushor agreed to change line 99 to 14 calendar days.

Councilor Bushor questioned what happens if Public Safety Committee individuals were in area of change?

Councilor Roof joined 5:12 pm.

D. White responded that he was not as concerned with that, but questioned whether Public Safety was the best committee. A. Roof agreed that between Public Safety and License Committee, it should be License Committee as they do more adjudication than the Public Safety Committee does. Lines 101, 104 & 105





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Motion by Councilor Bushor to approve the ordinance amendment as proposed to be amended, with the following additional changes to the current version--changing 15 days to 30 days on line 54, changing 10 to 14 calendar days on line 99 and on lines 101, 104 and 105 changing Public Safety Committee to License Committee; and referring the revised amendment to the City Council for 2nd reading and with a recommendation for adoption. Second by Councilor Roof.

Final Resolution: Motion Passes

Yes: Councilor Bushor, Councilor Mason and Councilor Roof.

1. 4.02 **BCO—Signs—In Public Ways and Projections Over Sidewalks**

Councilor Mason noted that this amendment had been before the Committee previously and had returned after revisions.

Councilor Bushor questioned that if it has to be at least 8 feet above grade, what if existing only above 7 feet--then what is recourse? Would there be a waiver or does it have to be moved? D. White responded noting that it was not zoning, therefore that type of grandfathering is not necessarily applicable. He also noted that C. Manna had reviewed it and weighed in.

Councilor Mason suggested that staff look at the issue and amend accordingly.

Motion by Councilor Bushor to approve the ordinance as proposed to be amended and with instruction for staff to review the issue of implications of new 8 foot standard on existing situations and revise accordingly; and refer the revised amendment to City Council for 2nd reading and with a recommendation for adoption. Seconded by Councilor Roof.

Final Resolution: Motion Passes

Yes: Councilor Bushor, Councilor Mason and Councilor Roof.

1. 4.03 **CDO Zoning Amendment ZA #20-02—Accessory Uses and Structures**





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The amendment was introduced by S. Gustin. He indicated that it was not related to accessory dwelling units (ADU), that it was a clean-up. Consolidation of definitions, correcting incorrect use of definitions, doing for consistency.

Councilor Bushor noted that the 25% standard in the definitions was not consistent with the proposed ADU regulations and asked if the exception could be noted. S. Gustin responded that it was clear in the ADU section.

Councilor Mason asked about what the 25% sales meant. S. Gustin gave an example to explain—if a gas station sells creemees and it is greater than 25% of the business, then they need a café approval. Councilor Mason questioned how the 25% would be measured. S. Gustin responded that they would use annual receipts.

Councilor Bushor noted that under the zoning permit required section it lists skating rink and asked if the City issues temporary use certificates. S. Gustin responded that they did not.

Councilor Bushor noted a concern that a garage was able to have a stall per bedroom.

Motion by Councilor Roof to approve the ordinance amendment as proposed and refer it to the City Council for 2nd reading, public hearing and with a recommendation for adoption. Councilor Bushor seconded the motion.

Final Resolution: Motion Passes

Yes: Councilor Bushor, Councilor Mason and Councilor Roof.

1. Any Other Business

Joining Planning Commission for meetings on February 11th and 19th, and March 10th.

Next Ordinance Committee mtg. 2/24 at 5:30 pm in Conference Room 12.

Tentative agenda:

- Notice of Trespass on City Property
- Fletcher Free Library Rules of Conduct
- Housing-Enforcement and penalties



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- Update on Energy Efficiency Ordinance work (asking for a written memo to share what they are working on and when we can expect them to be done and able to present to ordinance)

March (so far):

- Sprinkler discussion
- Leaf blowers, Sec. 21-14

1. **Adjournment**

Councilor Roof moved for adjournment, Councilor Bushor seconded the motion.

Final Resolution: Motion Passes

Yes: Councilor Bushor, Councilor Mason and Councilor Roof.

The meeting was adjourned at 5:32 pm.

