

Neighborhood Code Joint Committee Agenda

Tuesday, November 28, 2023, 6:30 PM

Remote & Virtual Meeting via Zoom

In-Person Option Available:

Bushor Conference Room (Room 102), 1st Floor of City Hall, 149 Church St.

Zoom Details

<https://zoom.us/j/99881962182>

Webinar ID

998 8196 2182

Or One tap mobile :

US: +17193594580,,99881962182# or +19292056099,,99881962182#

1. Agenda

Subject	1.1. Motion to adopt/amend agenda
Meeting	November 28, 2023 - Agenda - Tuesday, November 28, 2023, 6:30 PM, Neighborhood Code Joint Committee Agenda
Category	1. Agenda
Department	Planning
Type	Action
Recommended Action	Adopt as presented

2. Neighborhood Code: Recap

Subject	2.1. Staff will provide a brief recap of the current proposed Neighborhood Code Recommendations
Meeting	November 28, 2023 - Agenda - Tuesday, November 28, 2023, 6:30 PM, Neighborhood Code Joint Committee Agenda
Category	2. Neighborhood Code: Recap
Department	Planning
Type	Presentation

3. Public Forum

Subject	3.1. Public Guidelines for Virtual Meeting Participation
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Meeting	November 28, 2023 - Agenda - Tuesday, November 28, 2023, 6:30 PM, Neighborhood Code Joint Committee Agenda
Category	3. Public Forum
Department	Planning
Type	
Recommended Action	

4. Neighborhood Code: Core Recommendations

Subject	4.1. Committee Discussion on Proposed District Boundaries
Meeting	November 28, 2023 - Agenda - Tuesday, November 28, 2023, 6:30 PM, Neighborhood Code Joint Committee Agenda
Category	4. Neighborhood Code: Core Recommendations
Department	Planning
Type	Discussion
Subject	4.2. Discussion on other Recommendations
Meeting	November 28, 2023 - Agenda - Tuesday, November 28, 2023, 6:30 PM, Neighborhood Code Joint Committee Agenda
Category	4. Neighborhood Code: Core Recommendations
Department	Planning
Type	Discussion

5. Upcoming Meetings

Subject	5.1. Discuss Upcoming Meeting Dates
Meeting	November 28, 2023 - Agenda - Tuesday, November 28, 2023, 6:30 PM, Neighborhood Code Joint Committee Agenda
Category	5. Upcoming Meetings
Department	Planning
Type	Discussion
Recommended Action	

6. Minutes

Subject	6.1. Review and approve the 10/17 Neighborhood Code Meeting Minutes
Meeting	November 28, 2023 - Agenda - Tuesday, November 28, 2023, 6:30 PM, Neighborhood Code Joint Committee Agenda
Category	6. Minutes
Department	Planning

Type	Action
Subject	6.2. Review and approve the 10/24 Neighborhood Code Meeting Minutes
Meeting	November 28, 2023 - Agenda - Tuesday, November 28, 2023, 6:30 PM, Neighborhood Code Joint Committee Agenda
Category	6. Minutes
Department	Planning
Type	Action
Subject	6.3. Review and approve the 11/02 Neighborhood Code Meeting Minutes
Meeting	November 28, 2023 - Agenda - Tuesday, November 28, 2023, 6:30 PM, Neighborhood Code Joint Committee Agenda
Category	6. Minutes
Department	Planning
Type	Action

7. Communications

7.1. Review and accept Written Communications

8. Adjournment

Subject	8.1. Adjourn
Meeting	November 28, 2023 - Agenda - Tuesday, November 28, 2023, 6:30 PM, Neighborhood Code Joint Committee Agenda
Category	8. Adjournment
Department	Planning
Type	Action



BTV Neighborhood Code

Joint Planning Commission & City Council
Ordinance Committee

Meeting #5- November 28, 2023

Nov 28 Agenda Overview

Staff recap of Committee Work to Date

Public Forum/Input on Committee Work

Committee Discussion & Feedback on Core Recommendations:

- **Residential Zones:** Location of District Boundaries

Upcoming Meeting Dates

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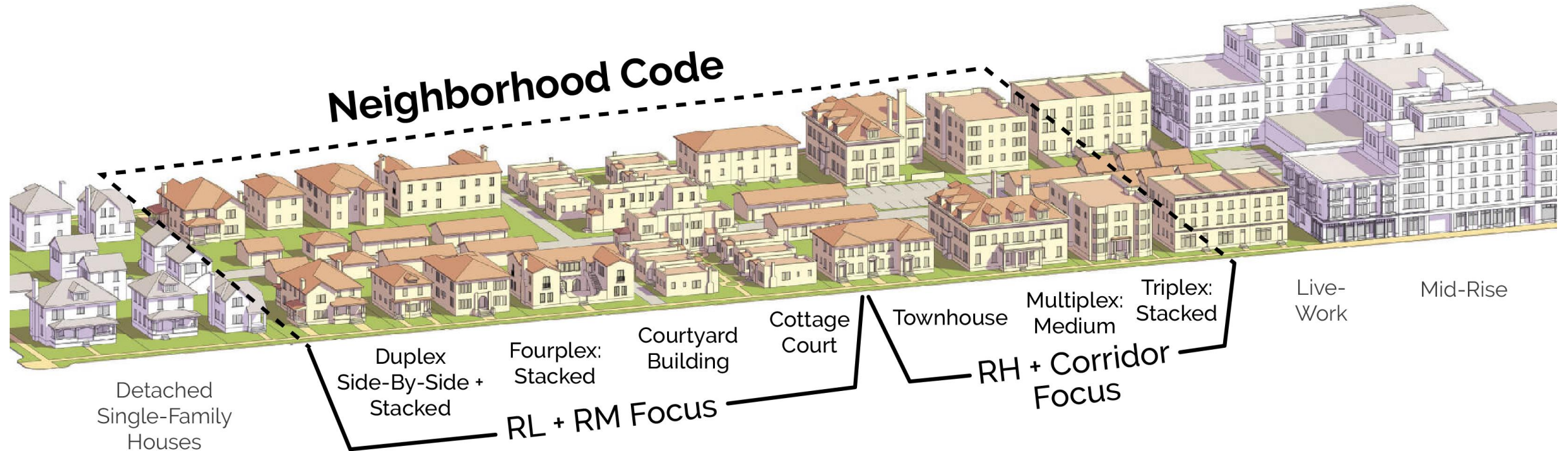
- **Slide 4:** Current Proposals & Committee Input to-date
- **Slide 14:** Materials & Summaries of Previous Committee Discussions
- **Slide 33:** Diagrams Illustrating Proposed Core Recommendations
- **Slide 39:** Construction Zone (Issues to address outside Neighborhood Code)
- **Slide 40:** Appendix- Neighborhood Study Areas
- **Slide 64:** Other Maps & Diagrams

Current Proposals & changes based on Committee Input

Neighborhood Code **Purpose**



Neighborhood code to allow duplex, triplex, fourplex citywide as well as townhomes and small multi-unit buildings in some locations.



Proposed Changes: **RL & RM Lot Size, Setbacks, Lot Coverage**

Proposed changes to the core standards for RL & RM zones, based on existing conditions in these areas and changes needed to facilitate additional neighborhood-scale housing options.

	Min Lot Size & Width	Lot Coverage Limit	Front Setback	Side Setback	Rear Setback
RL Zones <i>(note: Existing Larger Lot Overlay applies more restrictive standards to some neighborhoods)</i>					
Existing	6,000 sq.ft. / 60 ft for single family 10,000 sq.ft. / 60 ft for duplex	35%	Average of adjacent properties +/- 5 ft, but no more than 25 ft shall be required	10% lot width or Avg. of adjacent properties	25% lot depth but at least 20 ft
Proposed	3,500 sq.ft. 30 ft width	45%	No change	No change	20 ft
RM Zones					
Existing	No Minimum 30 ft width	40%	Average of adjacent properties +/- 5 ft, but no more than 25 ft shall be required	10% lot width or Avg. of adjacent properties	25% lot depth but at least 20 ft
Proposed	No change	60%	No change	No change	15 ft

Items in red reflect changes to initial proposal that have been made by Committee to-date.

Proposed Changes: **RL & RM Building Size & Units**

Proposed changes for RL & RM zoning districts moves away from regulating how many homes by a lot's size to overall intensity of buildings. Difference between RL & RM in terms of proposed building size and number of units in part based on review of existing built patterns and densities.

	Density (units/acre)	Primary Building Max Footprint	Secondary Building Max Footprint	Max Stories	Max. Units per Building
RL Zones <i>(note: Existing Larger Lot Overlay applies more restrictive standards to some neighborhoods)</i>					
Existing	7 units/acre but 3+ units not permitted	Limited by lot coverage	Not permitted	35' height	2 units
Proposed	N/A	1,800 sq.ft.	1,100 sq.ft.	2.5 stories	4 units
RM Zones					
Existing	20 units/acre	Limited by lot coverage	Not permitted	35' height	Depends on lot size
Proposed	N/A	1,800 sq.ft.	900 sq.ft.	3 stories	4 units 6 units

Items in red reflect changes to initial proposal that have been made by Committee to-date.

Proposed Changes: RL & RM

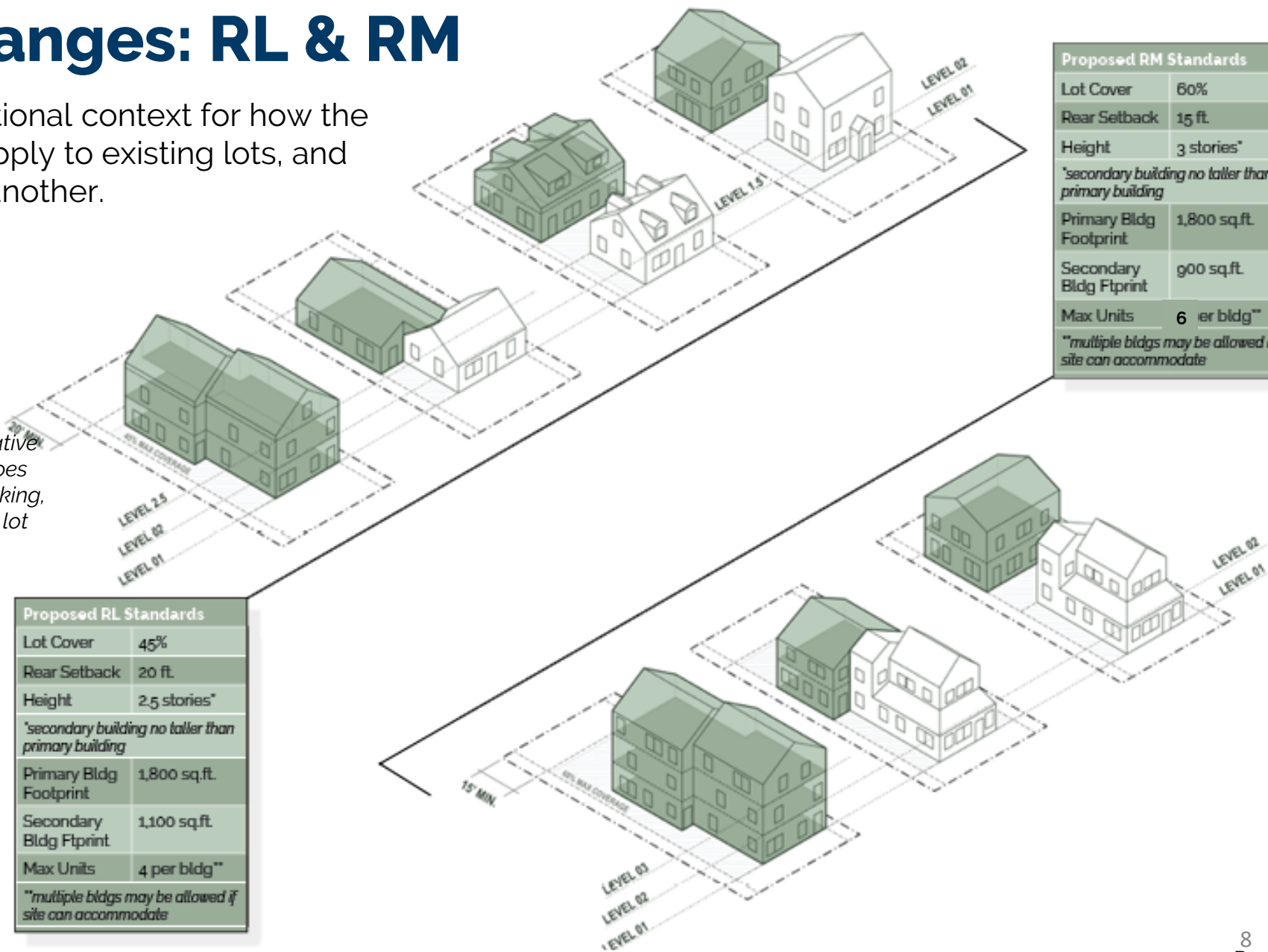
The diagrams provide additional context for how the proposed changes could apply to existing lots, and how they compare to one another.

All lots drawn at 5,500 sq.ft. to illustrate the respective district's allowed development intensity.

Diagrams intended to represent the maximum possible building intensity relative to a lot's size/other existing buildings. Does not illustrate parking; if lots included parking, building area would be reduced to meet lot coverage.

Proposed RL Standards	
Lot Cover	45%
Rear Setback	20 ft.
Height	2.5 stories*
*secondary building no taller than primary building	
Primary Bldg Footprint	1,800 sq.ft.
Secondary Bldg Ftpnt	1,100 sq.ft.
Max Units	4 per bldg**
**multiple bldgs may be allowed if site can accommodate	

Proposed RM Standards	
Lot Cover	60%
Rear Setback	15 ft.
Height	3 stories*
*secondary building no taller than primary building	
Primary Bldg Footprint	1,800 sq.ft.
Secondary Bldg Ftpnt	900 sq.ft.
Max Units	6 per bldg**
**multiple bldgs may be allowed if site can accommodate	



Testing Proposed RL Standards on Existing Lot



Test fit provided by Opticos, Inc. via AARP-VT's Technical Assistance Partnership, to test how proposed standards could be applied to a Burlington lot. Does not reflect a proposed development project; for discussion purposes only.

Program Summary

Site		
Zone		RL
¹ Area		9,625 sf / 0.22 ac
Setback		
	Req.	Prop.
Front	18'0" +/- 5'0"	18'0"
Side (10% lot width)	7'6" min.	7'6" min.
Rear	20'0" min.	20'9" min.
Program		
	Req.	Prop.
Existing Unit Count	-	1 du
Proposed Unit Count	-	3 du
Total Unit Count	-	4 du
Density	-	18.18 du/ac
Primary Building Count	1 max.	1
² Primary Footprint	1,800 gsf	1,240 gsf
² Secondary Footprint (Carriage)	1,100 gsf/bldg	695 gsf
² Secondary Footprint (Duplex)	-	1,100 gsf
Accessory Structure Footprint	-	0
Impermeable Surface	-	1,530 gsf
³ Lot Coverage	45%	38%
⁴ Existing On-site Parking	-	1 sp
Proposed On-site Parking	-	4 sp
Total On-site Parking	-	4 sp
Proposed Building(s)		
	Unit Count	Stories
Carriage House	1	2
Duplex	2	2
Parking Mix		
	Req.	Prop.
On-street	-	2 sp
Surface (Driveway)	-	2 sp
Garage	-	2 sp

¹ Assumes single lot with maintenance agreement for semi-private open space.

² Open porches not included in building footprints.

³ Open porches included in lot coverage.

⁴ Existing space removed in proposed plan.

⁵ Carriage house can be separate unit, ADU, or additional habitable space (e.g., home office or guest room) for the primary building.

Proposed Changes: **RH & Corridor Lot Size, Setbacks, Lot Coverage**

Only change proposed for RH is to standardize rear setback. Proposed new Corridor Zone aims to enable townhouses, multi-unit buildings along major thoroughfares.

	Min Lot Size & Width	Lot Coverage Limit	Front Setback	Side Setback	Rear Setback
RH Zones					
Existing	No Minimum	80%	Average of adjacent properties +/- 5 ft, but no more than 25 ft shall be required	10% lot width or Avg. of adjacent properties	25% lot depth but at least 20 ft
Proposed	No change	No change	No change	No change	15 ft
Corridor Zones					
Existing	District does not exist- these areas are zoned either RL or RM today.				
Proposed	No Minimum	80%	At least 5 ft, no more than 20 ft	0 ft	15 ft

Items in red reflect changes to initial proposal that have been made by Committee to-date.

Proposed Changes: **RH & Corridor Building Size & Units**

RH becomes more flexible for small multi-unit buildings. New Corridor zone allows larger and more flexible range of housing types, with goal of enabling townhouses and multi-unit housing types.

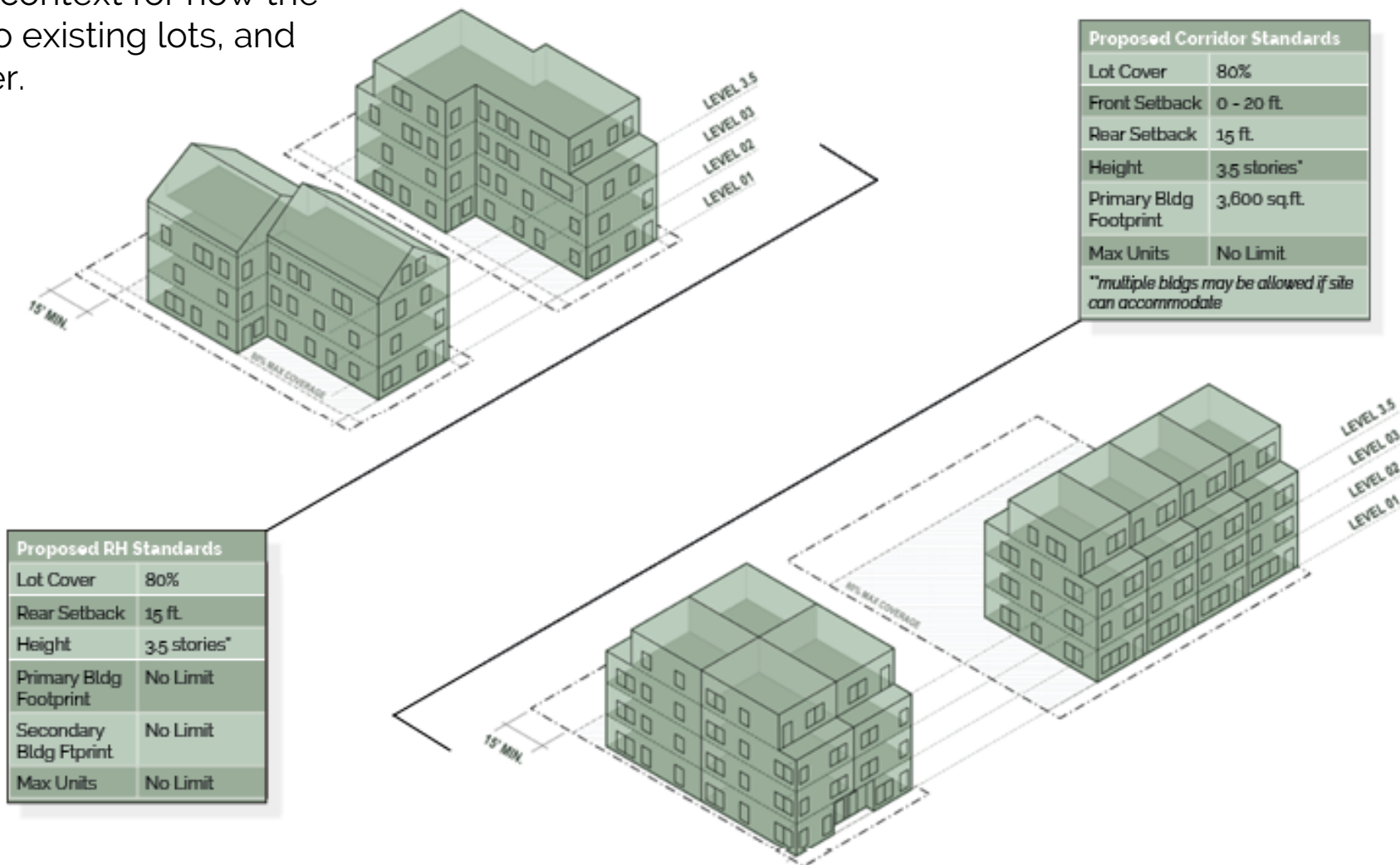
	Density (units/acre)	Primary Building Max Footprint	Secondary Building Max Footprint	Max Stories	Max. Units per Building
RH Zones					
Existing	40 units/acre	Limited by lot coverage	Not permitted	35' height	Depends on lot size
Proposed	N/A	Limited by lot coverage	Limited by lot coverage	3-5 4 stories	No limit
Corridor Zones					
Existing	<i>District does not exist- these areas are zoned either RL or RM today.</i>				
Proposed	N/A	3,600 sq.ft.	Limited by lot coverage	3-5 4 stories	No limit

Proposed Changes: RH & Corridors

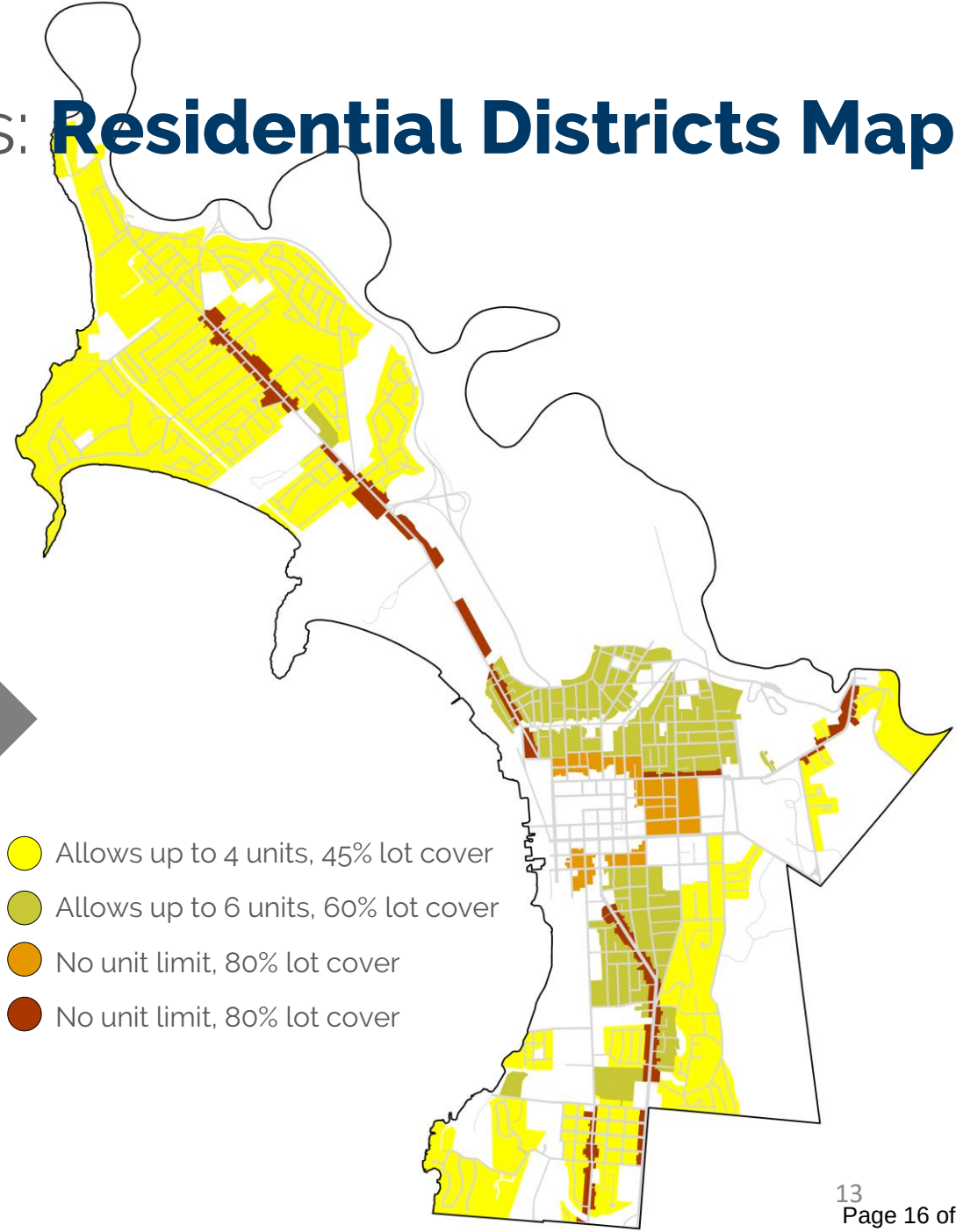
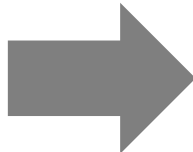
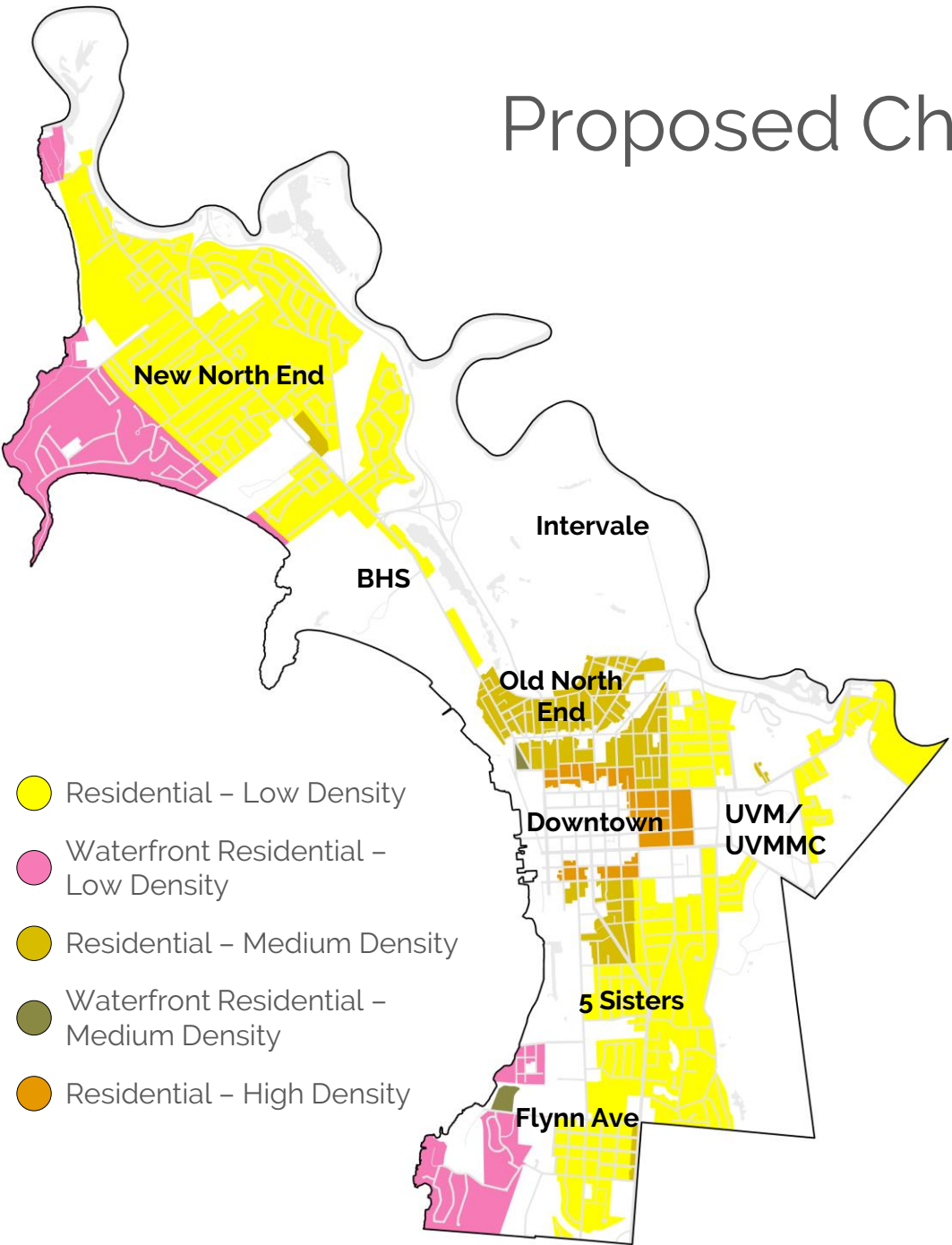
The diagrams provide additional context for how the proposed changes could apply to existing lots, and how they compare to one another.

All lots drawn at 5,500 sq.ft. to illustrate the respective district's allowed development intensity.

Diagrams intended to represent the maximum possible building intensity relative to a lot's size/other existing buildings. Does not illustrate parking; if lots included parking, building area would be reduced to meet lot coverage.



Proposed Changes: Residential Districts Map



Material & Summaries of Past Committee Discussions

Why it Matters: **Lot Size, Setback, Lot Cover**

These standards contribute to overall patterns of neighborhoods and how buildings relate to each other. But they can also have a major influence on how large a lot is needed to create a home, and how much of that lot can be used for buildings.

- RL districts are the only zoning districts in the city that require a minimum lot size as a pre-requisite for development
- Larger minimum lot sizes can limit opportunities for creation of new, individual lots for new homes, or prevent “fee simple” ownership of land under a duplex or townhouse unit
- Setbacks, particularly rear, can limit the use of deeper lots to accommodate more homes within areas that are already developed
- In some areas, lot coverage limits could preclude even modest additions or expansions to existing buildings to create new homes – particularly in neighborhoods that have been downzoned over time
- Allowing more housing types without adjustment to these standards may limit results, particularly for utilizing deep lots and/or creating new individual lots for new homes

Core Recommendation: **Lot Size**

Previous Committee Discussion/Decisions:

- ✓ Committee agreed to remove minimum lot size requirements for RL zones
- Future discussion: how to address RL-Larger Lot overlay?

Questions:

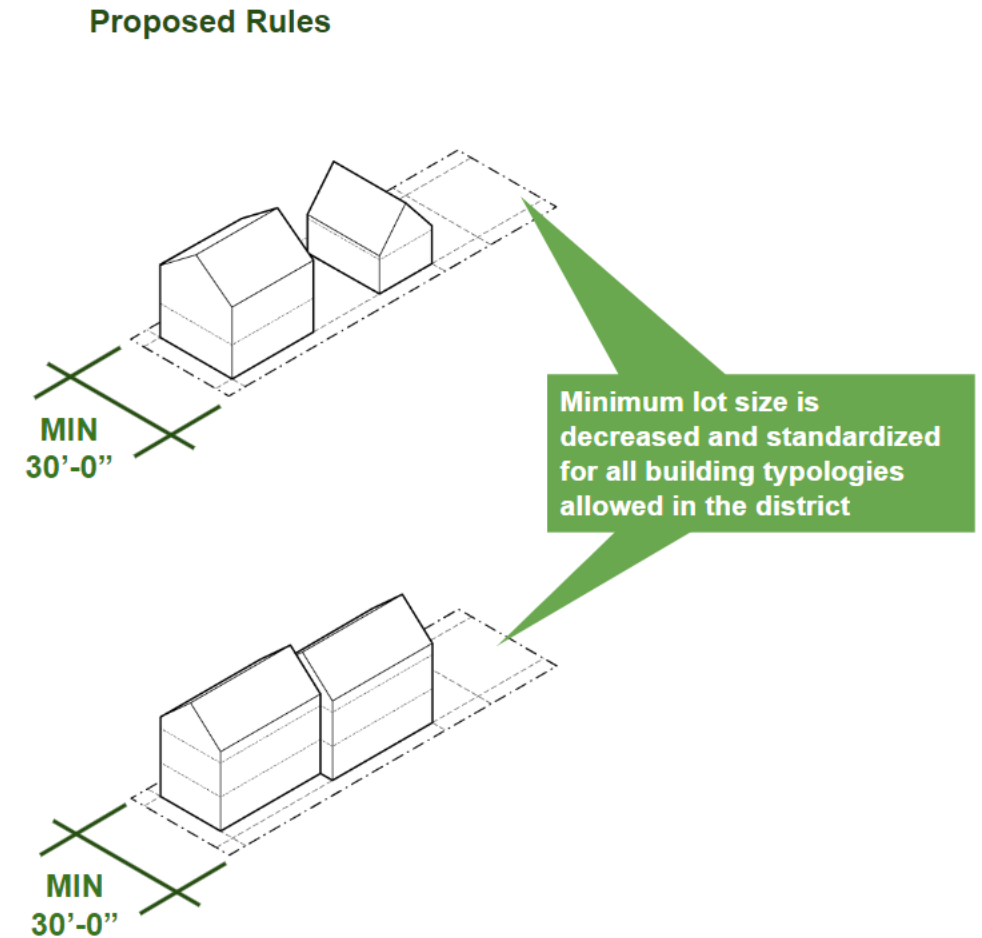
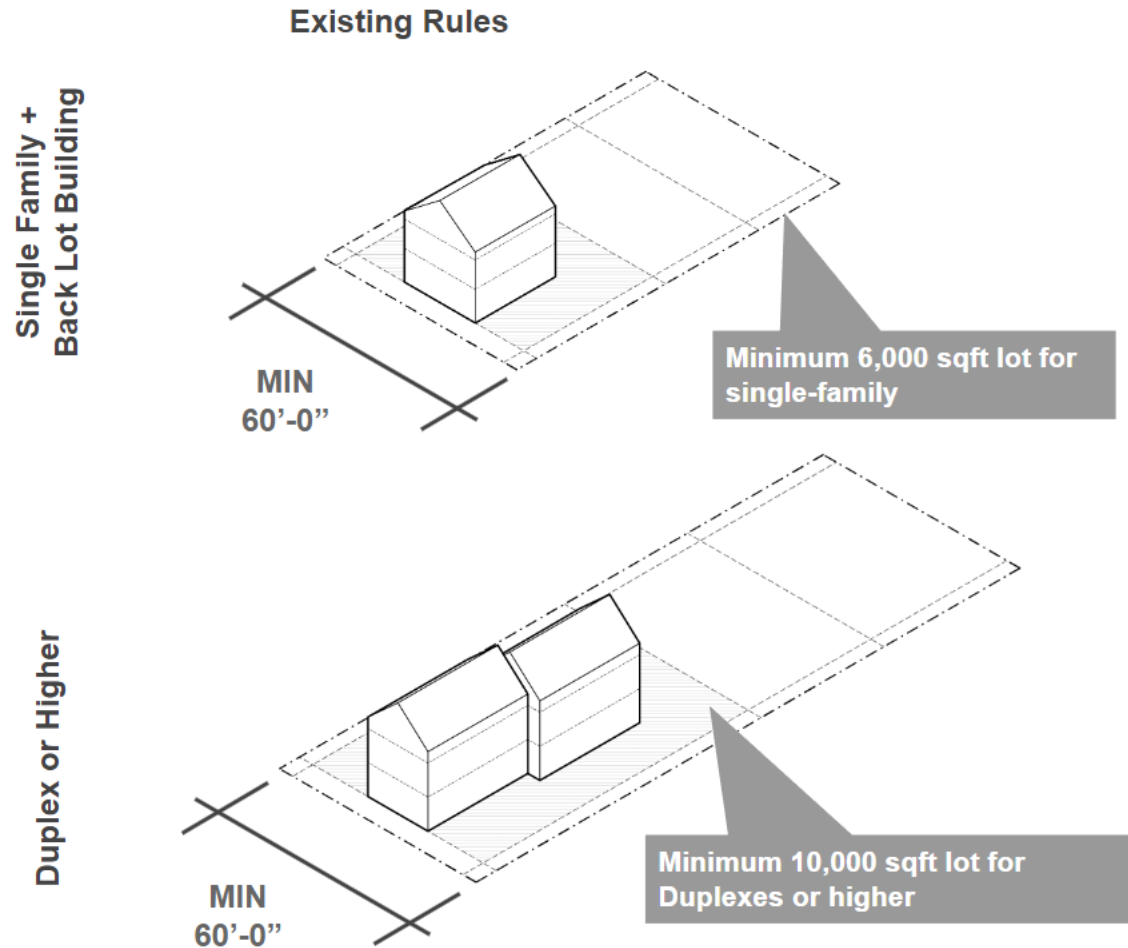
- **How will allowing smaller lots relate to setbacks and other standards– require more flexibility?**
 - Recommended standards tested down to 3,500 sq.ft. lots, other tools yet to be discussed for very small lots associated with townhouses, etc.
- **How easy is it to combine lots/change lot boundaries?**
 - Official lot line adjustments and mergers of lots, which are reflected in a plat, can be administratively approved as long as doesn't create a new, unapproved lot
 - Planned Unit Development allows multiple lots to be developed as one, without changing the plat, subject to applicable size limits in RL (today 2+ acres)

Related Resources:

- Lot Typology Analysis- [Neighborhood Code Report](#), p 30-33
- [10/30 FAQ Doc](#), questions 1-3, and 6
- Existing vs. Proposed Lot Size Diagram

Proposed Changes: **Lot Size, Setbacks, Lot Coverage**

In RL zones, initially recommended to reduce minimum lot size to 3,500 sq.ft., minimum lot width to 30 ft., and standardize these provisions for all housing types.



Core Recommendation: **Lot Coverage**

Committee Discussion/Decisions:

- ✓ General support for 45% coverage in RL, 60% in RM, 80% in RH & Corridors
- ✓ Allowing higher coverage for green stormwater infrastructure (or mandating GSI) added to the *Construction Zone*

Questions:

- **Should lot cover be higher if lots are smaller than 3,500 sq.ft.?**
 - Staff does not recommend further increasing lot cover at this time
- **Can walkways & ramps for accessibility be exempt from lot cover limit?**
 - Ramps are exempt, and an additional 10% lot cover allowed for RL & RM for features including walkways
- **Should there be separate limits for buildings & parking?**
 - Pros/cons to this approach; likely over complicated for scale of lots under consideration
 - Permeable pavers credited toward adt'l 10% lot cover, no minimum parking requirements driving parking area

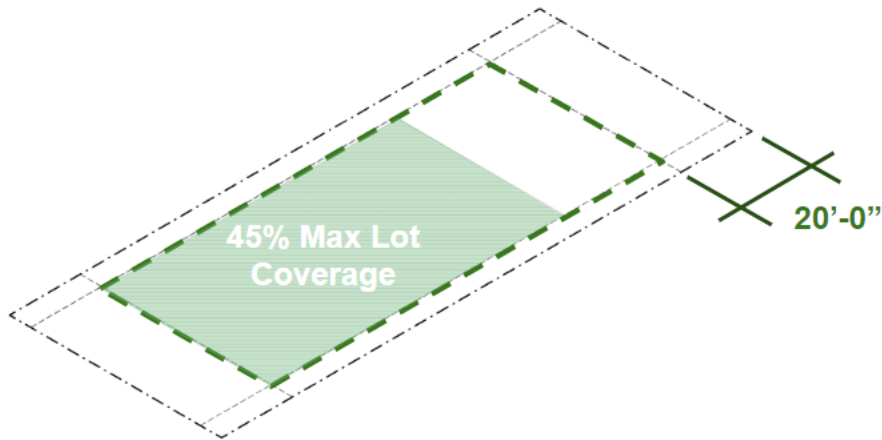
Related Resources:

- Lot Typology Analysis- [Neighborhood Code Report](#), p 30-33
- [10/30 FAQ Doc](#), questions 5, 6, 7
- Existing Lot Coverage Map
- Lot Coverage Diagrams from 10/17

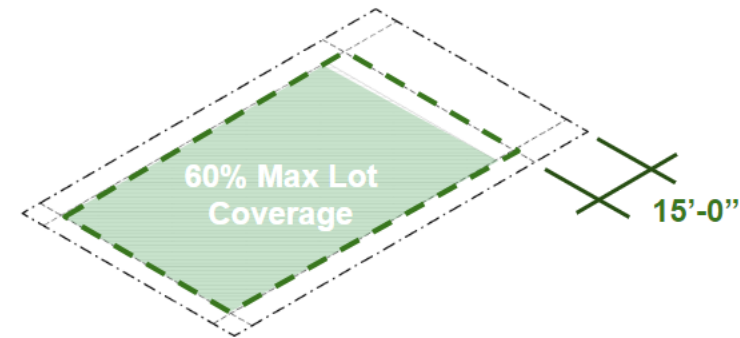
Proposed Changes: **Lot Size, Setbacks, Lot Coverage**

Increase allowable lot coverage in RL and RM zones. Maintain method for calculating front and side setbacks, but standardize rear setbacks in all residential districts.

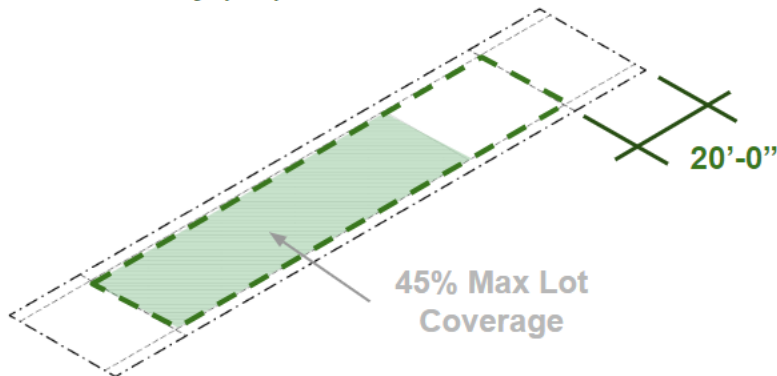
Low Density (RL) - Wide Parcel



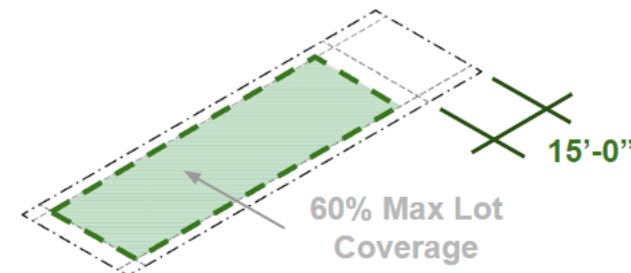
Medium Density (RM) - Wide Parcel



Low Density (RL) - Narrow Parcel



Medium Density (RM) - Narrow Parcel



Core Recommendation: **Setbacks**

Committee Discussion/Decisions:

- ✓ General support for 20 ft rear setback in RL, 15 ft rear setback in all other districts
- ✓ Change Corridor front setbacks to require 5ft min setback, maintain 20 ft max
- ✓ Set max of 25 ft required front setback limit for lots with very deep existing setbacks
- ✓ Maintain side setbacks for buildings but allow more flexibility for driveways within setbacks

Questions:

- **What elements are allowed to encroach into setbacks?**

- See table in FAQ Document, setbacks generally address habitable buildings

- **Can structures that already encroach in a setback be expanded?**

- Today, this is not generally allowed. Some allowance for height expansion; consider expanding to uninhabited existing structures

Related Resources:

- Lot Typology Analysis- [Neighborhood Code Report](#), p 30-33
- [10/30 FAQ Doc](#), Dimensional Standards Exception Table
- Map of Existing Setbacks

Why it Matters: **Density vs. Building Mass & Height**

Density is an imperfect tool to regulate how many homes can fit on a lot, and the overall scale of buildings:

- Density limits are an important factor in why middle housing types are “missing” from many neighborhoods
- If paired well with other dimensional tools, density measures can help scale up housing options based on a lot’s size
- When not paired with context-sensitive dimensional tools, can incent larger buildings and discourage creation of smaller ones
- Regulating massing of buildings overall, and enabling max number of units in buildings, allows “density” to vary lot-by-lot, while overall intensity of development is more predictable

Core Recommendation: **Building Footprint**

Committee Decisions/Discussion:

- ✓ No specific discussion on this, other than with regard to how many units in building

Questions:

- **What about larger lots where it may be appropriate to build larger buildings?**
 - Standards will allow more than one building on a lot (more context-sensitive building massing)
 - Introducing option for Cottage Courts for lots +/- half acre or more
 - Planned Unit Development allows modifications to some underlying standards for much larger sites (currently 2 acres, future discussion of this threshold)

Related Resources:

- [10/30 FAQ Doc](#), questions 14, 15, 16
- Diagrams of buildings within neighborhood context
- Diagrams comparing district standards

Core Recommendation: **Building Height**

Committee Discussion/Decisions:

- ✓ Discussion trended toward utilizing some tool to control mass at top of building, while allowing height to be more flexible to comfortably accommodate building needs
- ✓ General agreement on 2.5 stories for RL, 3 stories for RM, 4 stories for RH & Corridors
- Future discussion: should there be a height transition between Corridor & neighborhood (such as concept on next slide)?
- Future discussion: should back lot buildings be limited by height of existing buildings on a lot?

Questions:

- **How will half stories be defined/regulated? Are basements considered a story?**

- “Story” defined as occupying at least 50% of the perimeter of the building, nor floors at least 5 ft below grade
- “Half story” shorthand for anything greater than 50% but less than 100% of the floor that complies with any setback/slope roof applicable
- Lofts not a story if they don't exceed area above

Related Resources:

- [10/30 FAQ Doc](#), questions 17-21
- [Meeting Packet](#), Maps 2 & 3
- Diagrams of buildings within neighborhood context

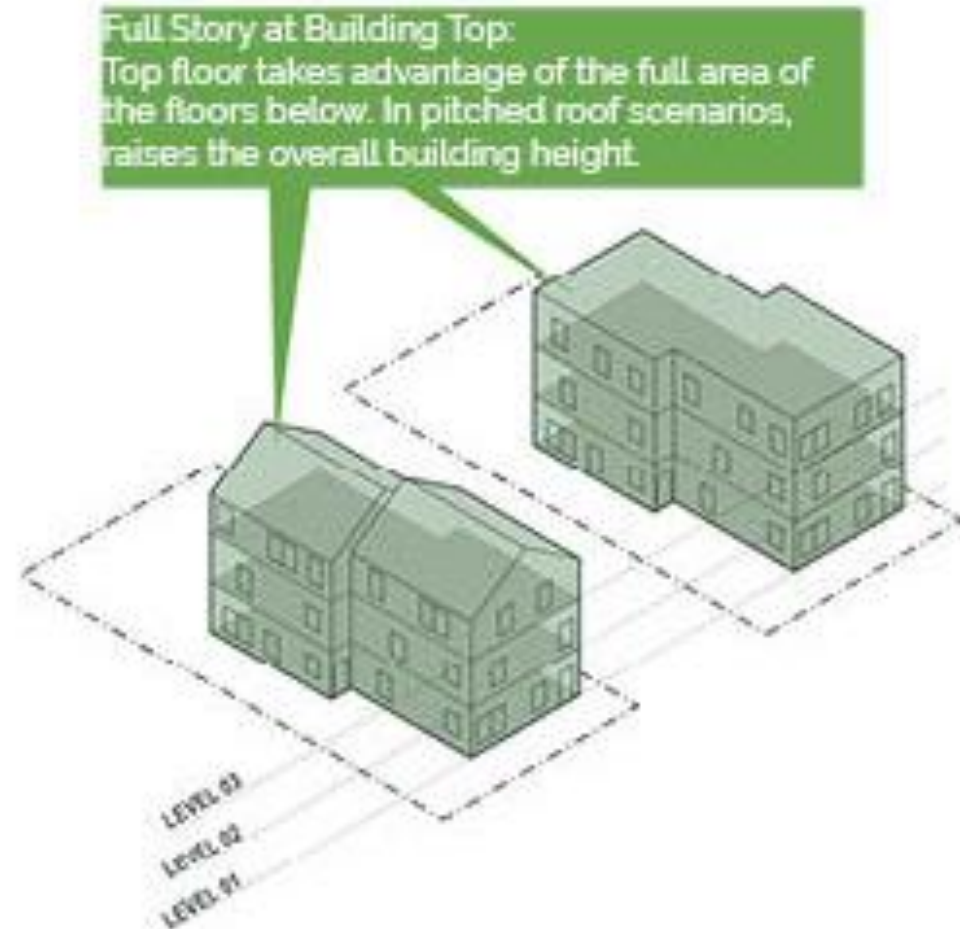
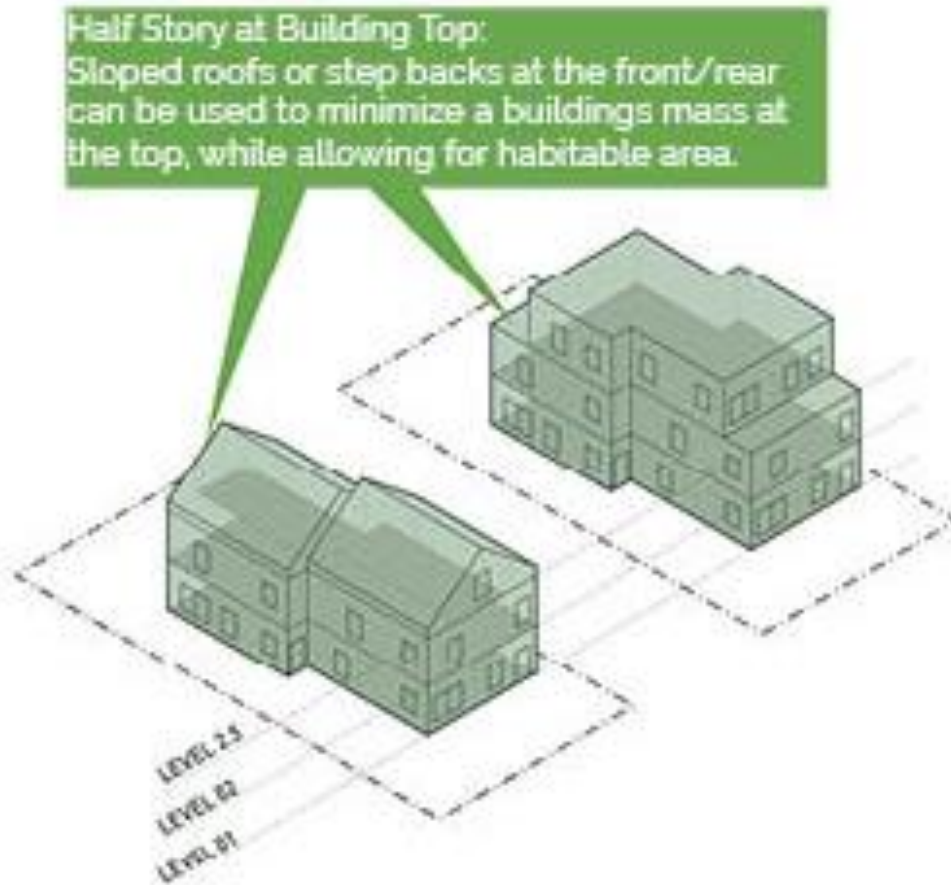
Core Recommendation: **Building Height**

Questions Continued:

- **Will 3.5 story buildings require elevators and/or double stairwells, rendering them not cost effective to build?**
 - Likely, and interior circulation would cause buildings taller than 4 stories to become less efficient at max building footprints
 - Flexibility through partial stories intended to not preempt any potential changes/alternative compliance that could be allowed through building code changes
- **Should there be a height transition between Corridor & nearby RL/RM areas?**
 - Proposed story limits are approximately 1 story different, transitions may be too complex for this scale of building
 - Potential Corridor Height approach, similar to corridors for parking requirements:
 - *“Height of 4 stories allowed on properties with frontage on the following major thoroughfares to a maximum depth of 200 ft. Beyond 200 ft., height limit corresponds with adjacent residential district.”*

Comparing Building Heights

Half story is primarily a means to control massing of very top of buildings, such as through a partial floor under a pitched roof or a setback on the street-facing façade of a building with a flat roof. Diagrams below illustrate difference between 2.5 story and 3 story building heights.



Core Recommendation: **Units per Building**

Committee Discussion/Decisions:

- ✓ Maintain limit of 4 units per building in RL for now, depends on map boundaries
- ✓ Allow 6 units per Primary Building in RM, 4 units in secondary building, based on boundaries
- ✓ No limit on units in RH and Corridors

Questions:

- **How does this relate to Boarding House or Co-Living uses?**
 - Boarding House is “single-family,” where individual rooms let in an owner-occupied home and shared common/eating areas; permitted vs. conditional use based on how many rooms let
 - Co-Living is “multi-family” equivalent; 4 rooms = 1 unit, does not require owner-occupancy
 - Can provide future recommendations based on unit/building decisions

Related Resources:

- [10/30 FAQ Doc](#), questions 22-24
- [Meeting Packet](#), Map 4

Core Recommendation: **District Boundaries**

Committee Discussion/Decisions:

- ✓ Expand corridor along North Ave south to Sherman St. to include areas in RM zone
- ✓ Expand corridor along East Ave/Pearl Street west to include areas proposed for RM zone (not RH areas)
- ✓ Expand corridor along St. Paul St north from rotary to downtown to include areas in RM zone

Questions/Future Discussion Topics:

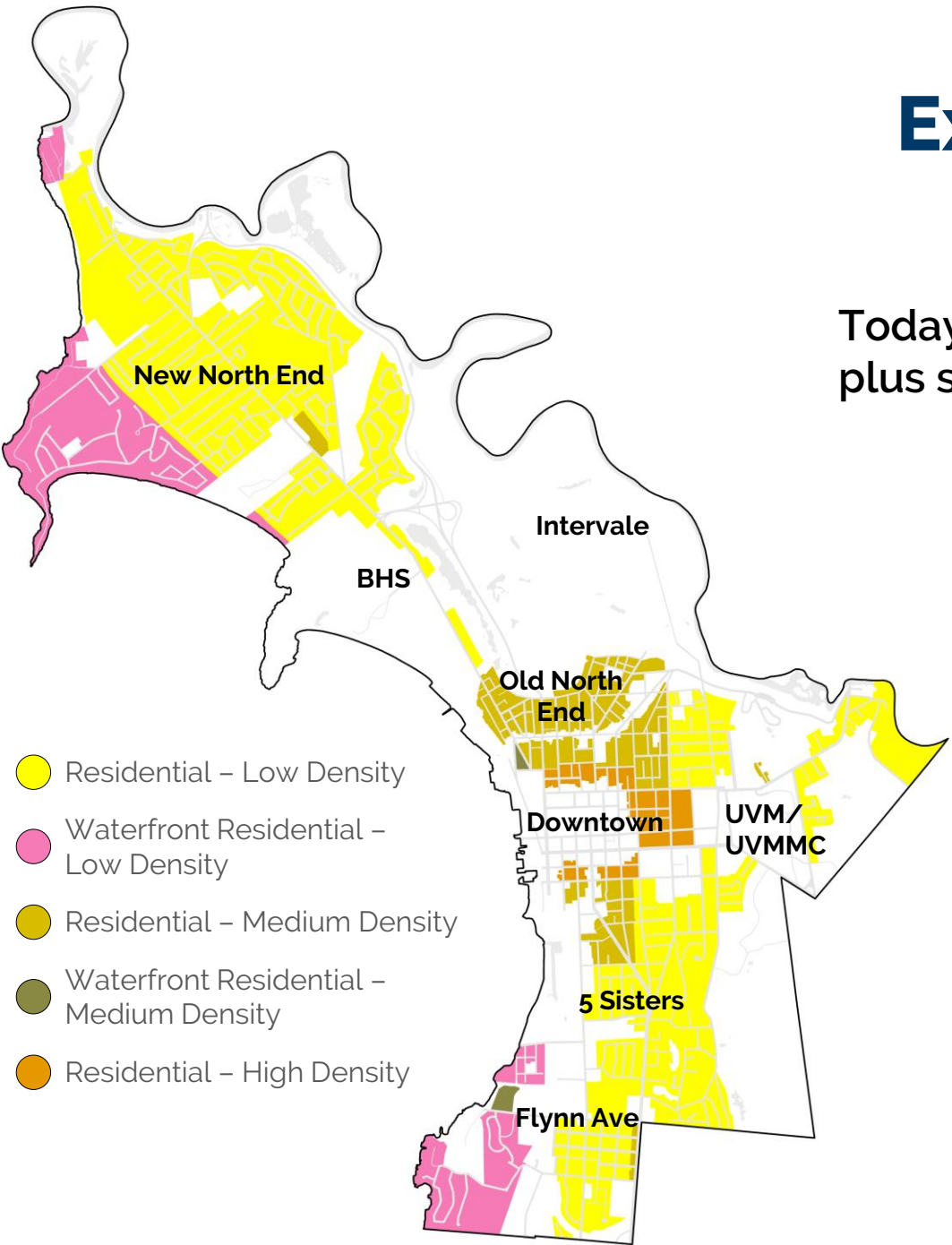
- Additional discussion needed regarding corridors:
 - Should lower Pine St be a corridor?
 - Neighborhood feedback opposed to such designation
 - Areas not in residential districts that should be corridors?
 - Generally, staff does not propose applying to non-residential districts at this time.
- What are the main differences between proposed RL & RM areas?
 - Review areas proposed to change from RL to RM

Related Resources:

- [Meeting Packet](#), Map 1- residential zones with areas proposed to be rezoned highlighted

Existing Residential Districts Map

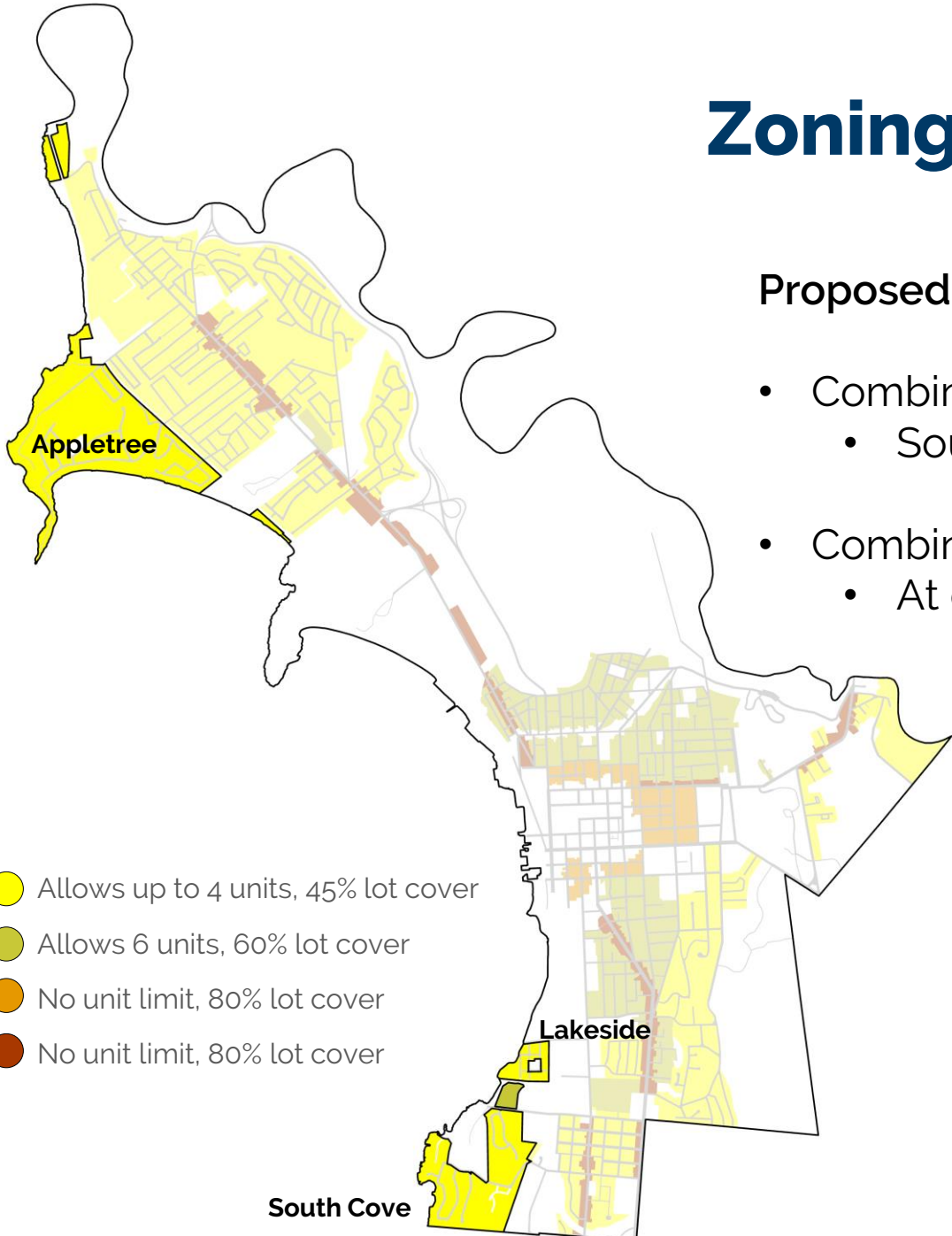
Today, there are 5 residential zoning districts citywide, plus several overlay districts for select areas.



Zoning Map Change Recommendations

Proposed map streamlines existing zoning districts:

- Combines Waterfront Low Density with Low Density
 - South Cove, Lakeside, & Appletree
- Combines Waterfront Medium Density with Medium Density
 - At end of Flynn Ave

- 
- The map shows a coastal area with three main districts highlighted: Appletree (yellow), Lakeside (light green), and South Cove (yellow). The map also shows various other zoning districts in different colors, including orange and brown, which correspond to the legend. The map is oriented with the coastline on the left and right sides.
- Allows up to 4 units, 45% lot cover
 - Allows 6 units, 60% lot cover
 - No unit limit, 80% lot cover
 - No unit limit, 80% lot cover

South Cove

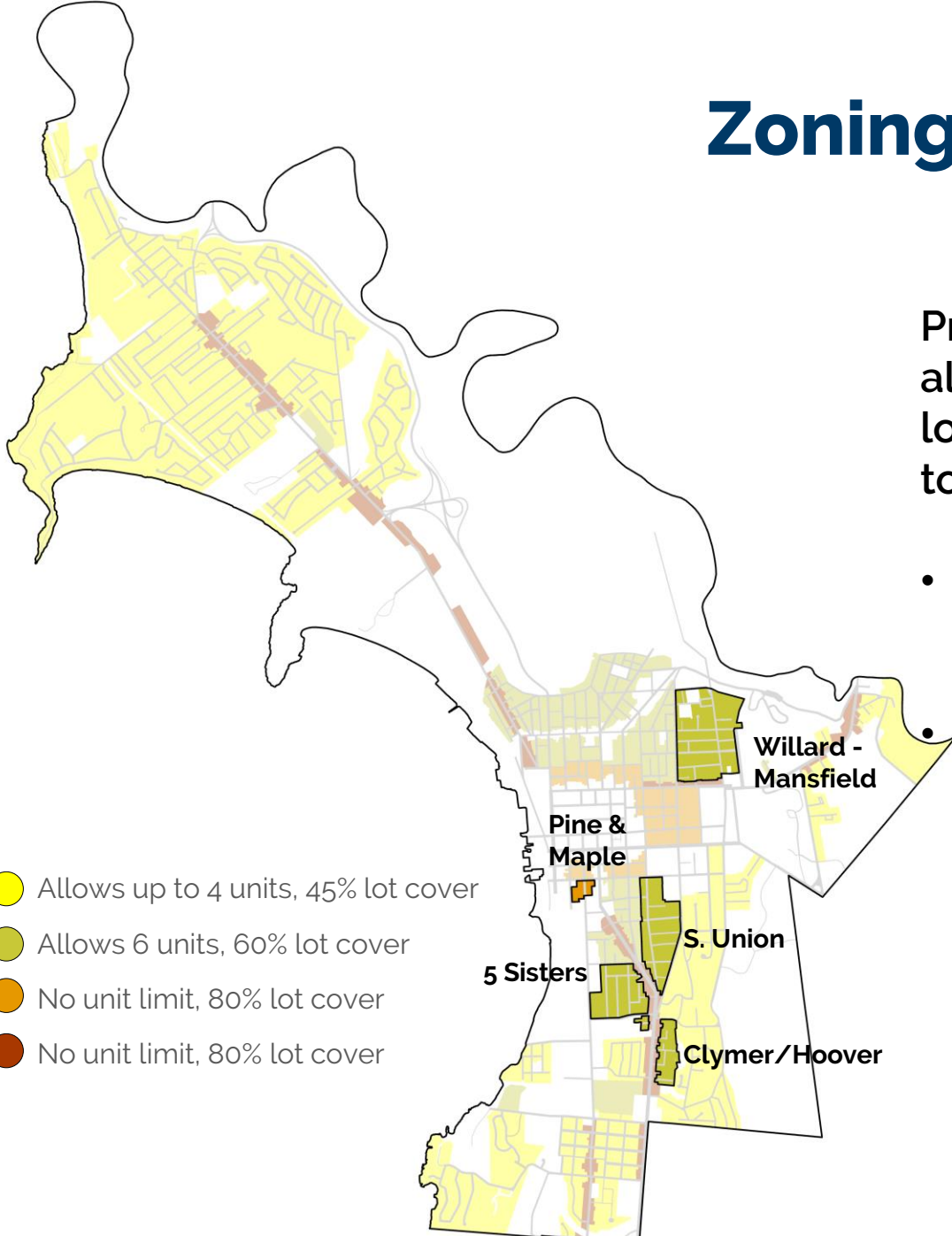
Lakeside

Appletree

Zoning Map Change Recommendations

Proposed map rezones some areas to more closely align with what is on the ground, particularly related to lot coverage, in order to overcome remaining barriers to facilitating more housing types:

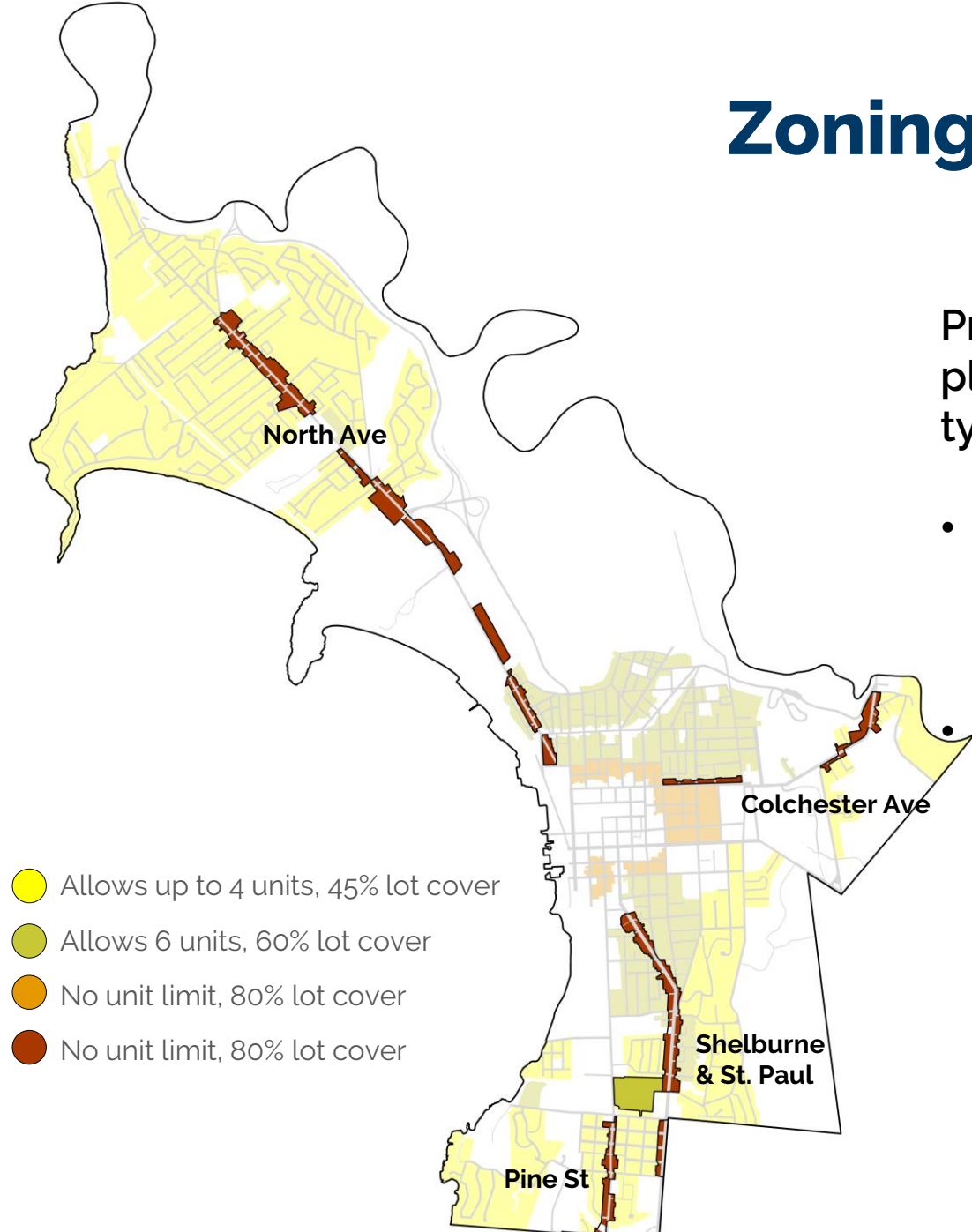
- Neighborhoods between Willard & Mansfield, Five Sisters, South Union areas rezoned from RL to RM
- Area near intersection of Pine & Maple, which is surrounded by downtown districts and commercial zones, rezoned from RM to RH

- 
- The map shows a city layout with several colored zones. A large yellow area covers the northern and western parts of the city. A central area is colored orange, and a smaller area to the east is colored green. A legend on the left explains the colors: yellow for 'Allows up to 4 units, 45% lot cover', green for 'Allows 6 units, 60% lot cover', orange for 'No unit limit, 80% lot cover', and brown for 'No unit limit, 80% lot cover'. Labels on the map include 'Willard - Mansfield', 'Pine & Maple', '5 Sisters', 'S. Union', and 'Clymer/Hoover'.
- Allows up to 4 units, 45% lot cover
 - Allows 6 units, 60% lot cover
 - No unit limit, 80% lot cover
 - No unit limit, 80% lot cover

Zoning Map Change Recommendations

Proposed map rezones other areas to implement planning goals and allow greater flexibility for housing types and intensity:

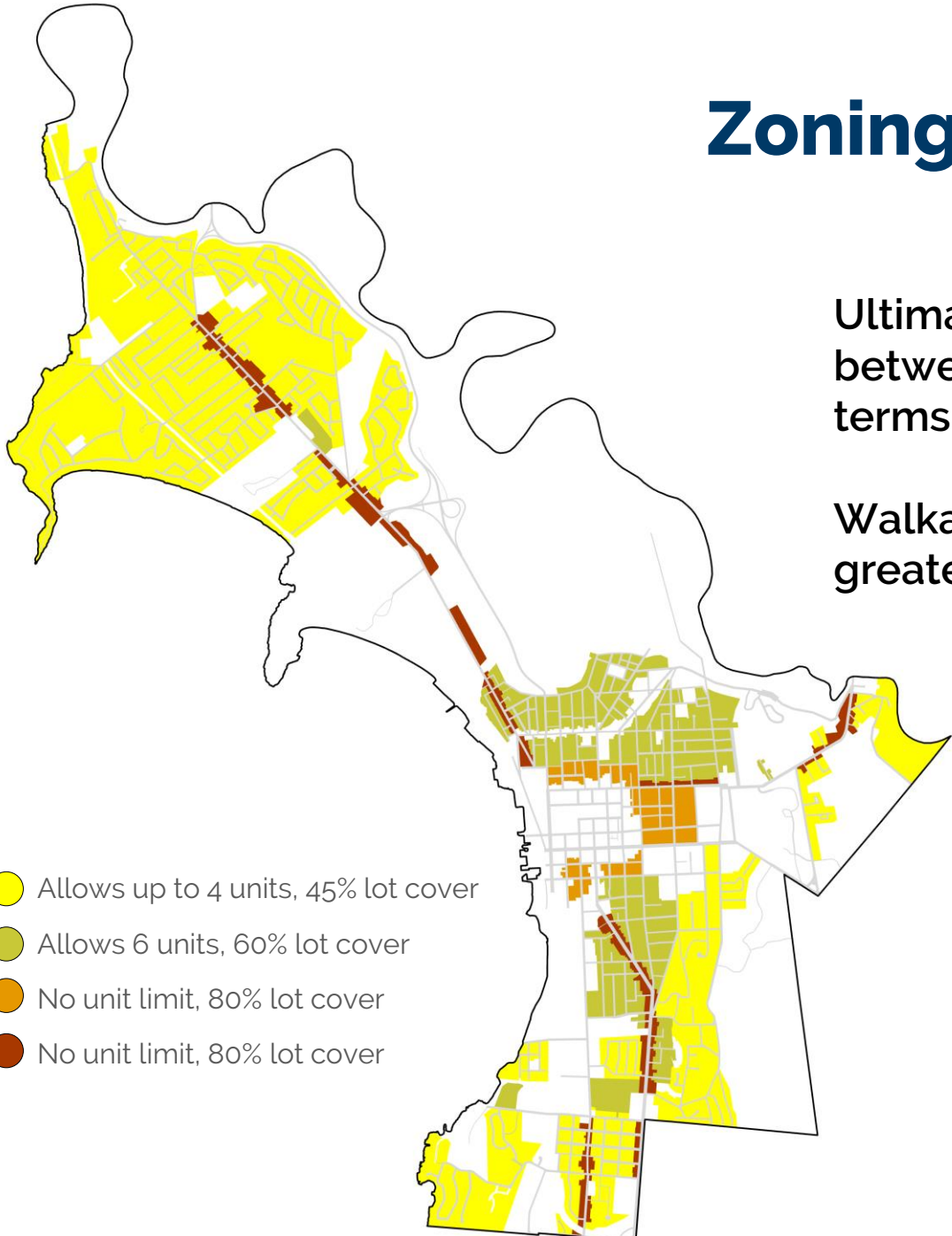
- Creates new Corridor zone for properties currently zoned RL that front on North Ave, Colchester Ave, Shelburne Rd, and southern end of Pine Street
- Rezones Champlain Elementary property from RL to RM

- 
- The map displays a geographic area with several streets labeled: North Ave, Colchester Ave, Shelburne & St. Paul, and Pine St. The area is divided into different colored zones. A legend on the left explains the colors: yellow for 'Allows up to 4 units, 45% lot cover', light green for 'Allows 6 units, 60% lot cover', orange for 'No unit limit, 80% lot cover', and dark orange/brown for 'No unit limit, 80% lot cover'. The map shows a corridor along North Ave, Colchester Ave, and Pine St, with a specific area near Champlain Elementary being rezoned.
- Allows up to 4 units, 45% lot cover
 - Allows 6 units, 60% lot cover
 - No unit limit, 80% lot cover
 - No unit limit, 80% lot cover

Zoning Map Change Recommendations

Ultimately, allow up to 4 units citywide, with differences between RL & RM districts focused more on “intensity” in terms of building size and lot coverage.

Walkable core areas in RH and new Corridor zones to allow greater flexibility in terms of housing choice and intensity.

- 
- Allows up to 4 units, 45% lot cover
 - Allows 6 units, 60% lot cover
 - No unit limit, 80% lot cover
 - No unit limit, 80% lot cover

Diagrams illustrating proposed Core Standards

Proposed Changes: RL & RM

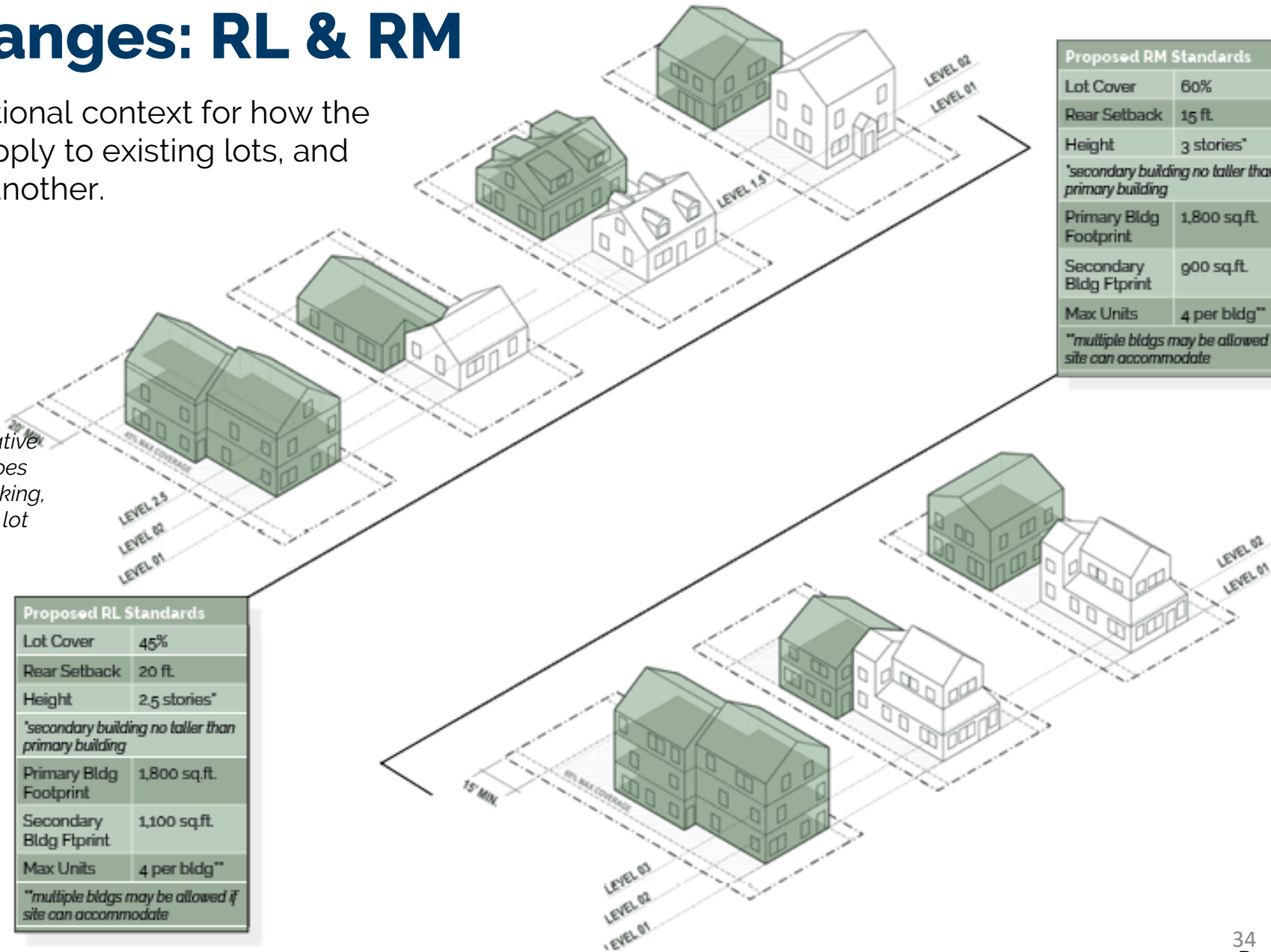
The diagrams provide additional context for how the proposed changes could apply to existing lots, and how they compare to one another.

All lots drawn at 5,500 sq.ft. to illustrate the respective district's allowed development intensity.

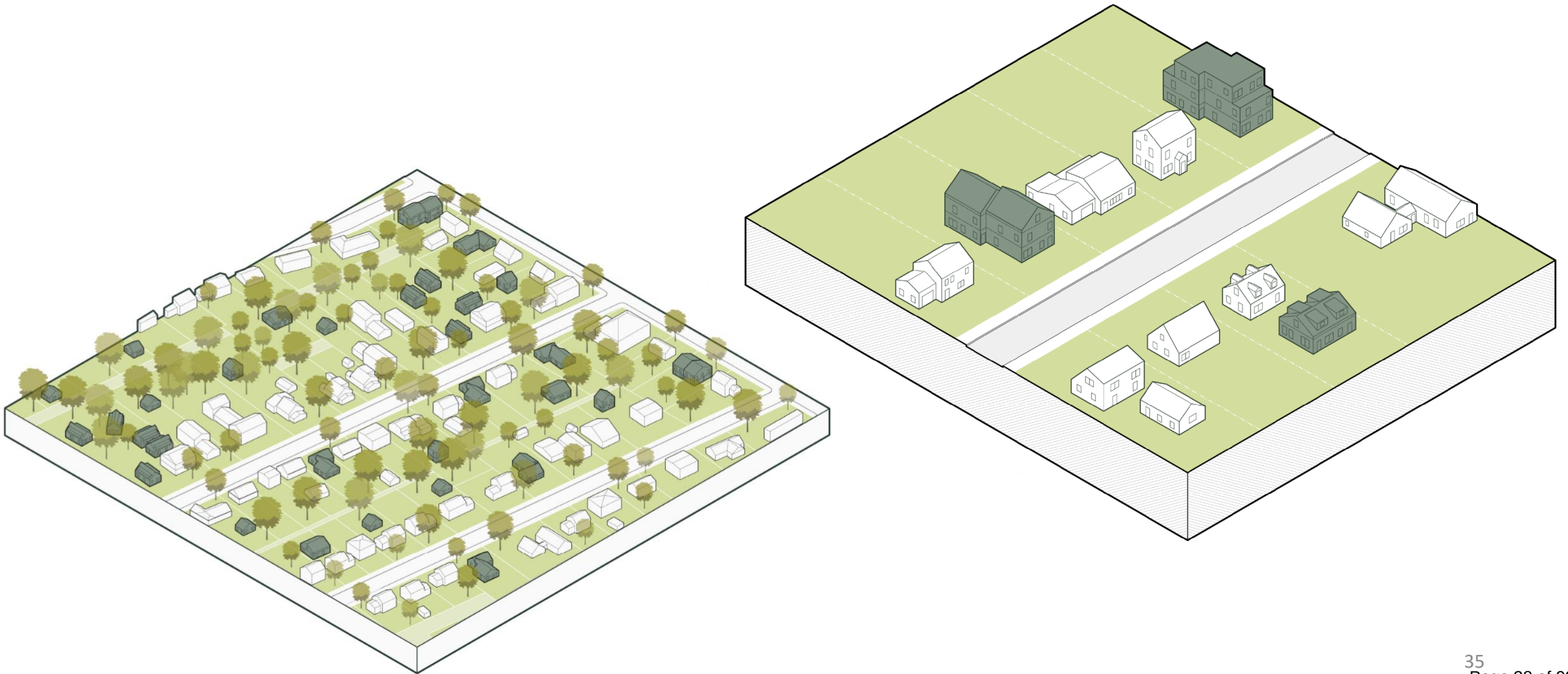
Diagrams intended to represent the maximum possible building intensity relative to a lot's size/other existing buildings. Does not illustrate parking; if lots included parking, building area would be reduced to meet lot coverage.

Proposed RL Standards	
Lot Cover	45%
Rear Setback	20 ft.
Height	2.5 stories*
*secondary building no taller than primary building	
Primary Bldg Footprint	1,800 sq.ft.
Secondary Bldg Ftpnt	1,100 sq.ft.
Max Units	4 per bldg**
**multiple bldgs may be allowed if site can accommodate	

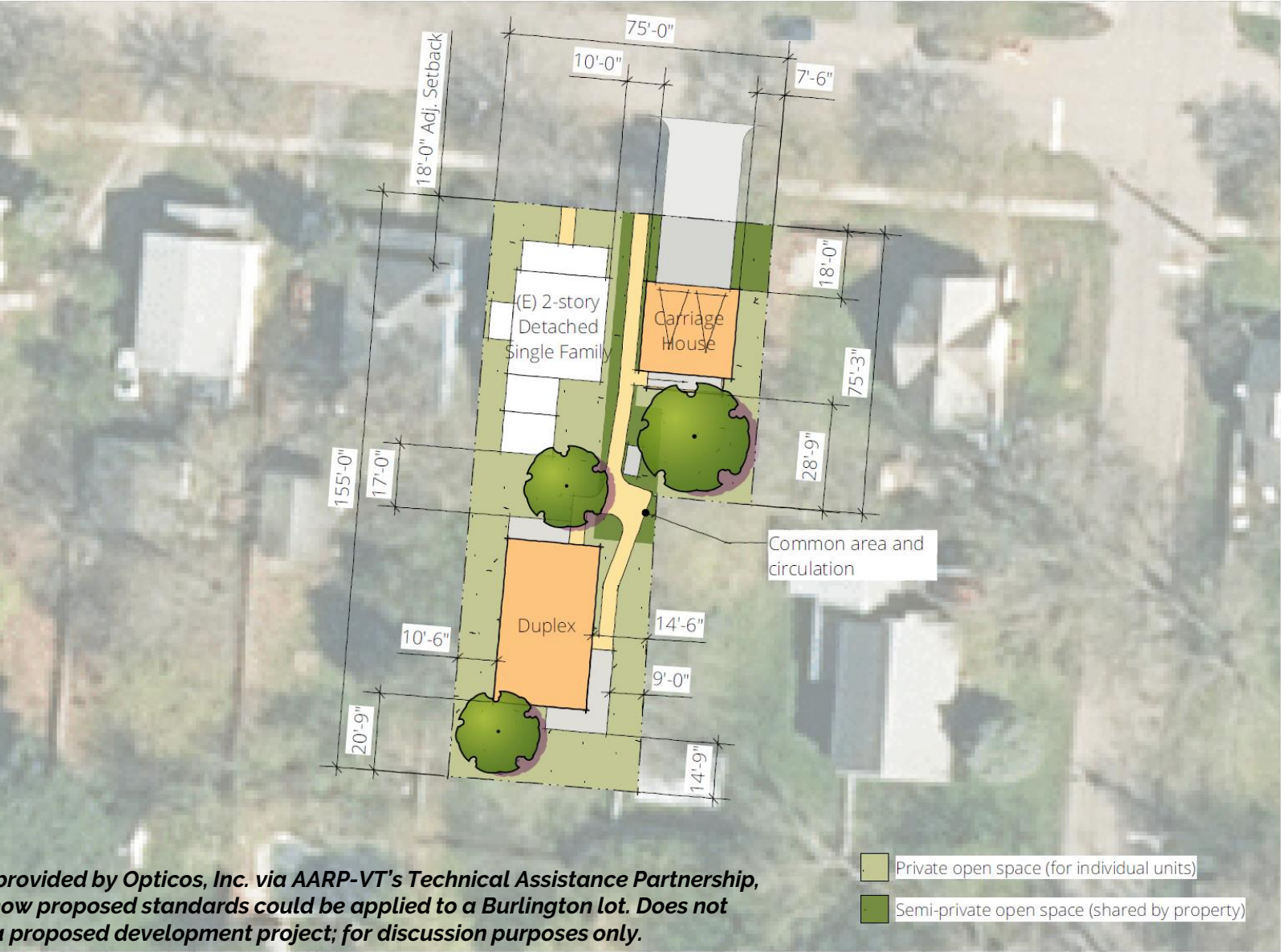
Proposed RM Standards	
Lot Cover	60%
Rear Setback	15 ft.
Height	3 stories*
*secondary building no taller than primary building	
Primary Bldg Footprint	1,800 sq.ft.
Secondary Bldg Ftpnt	900 sq.ft.
Max Units	4 per bldg**
**multiple bldgs may be allowed if site can accommodate	



Proposed RL Standards in Existing Context



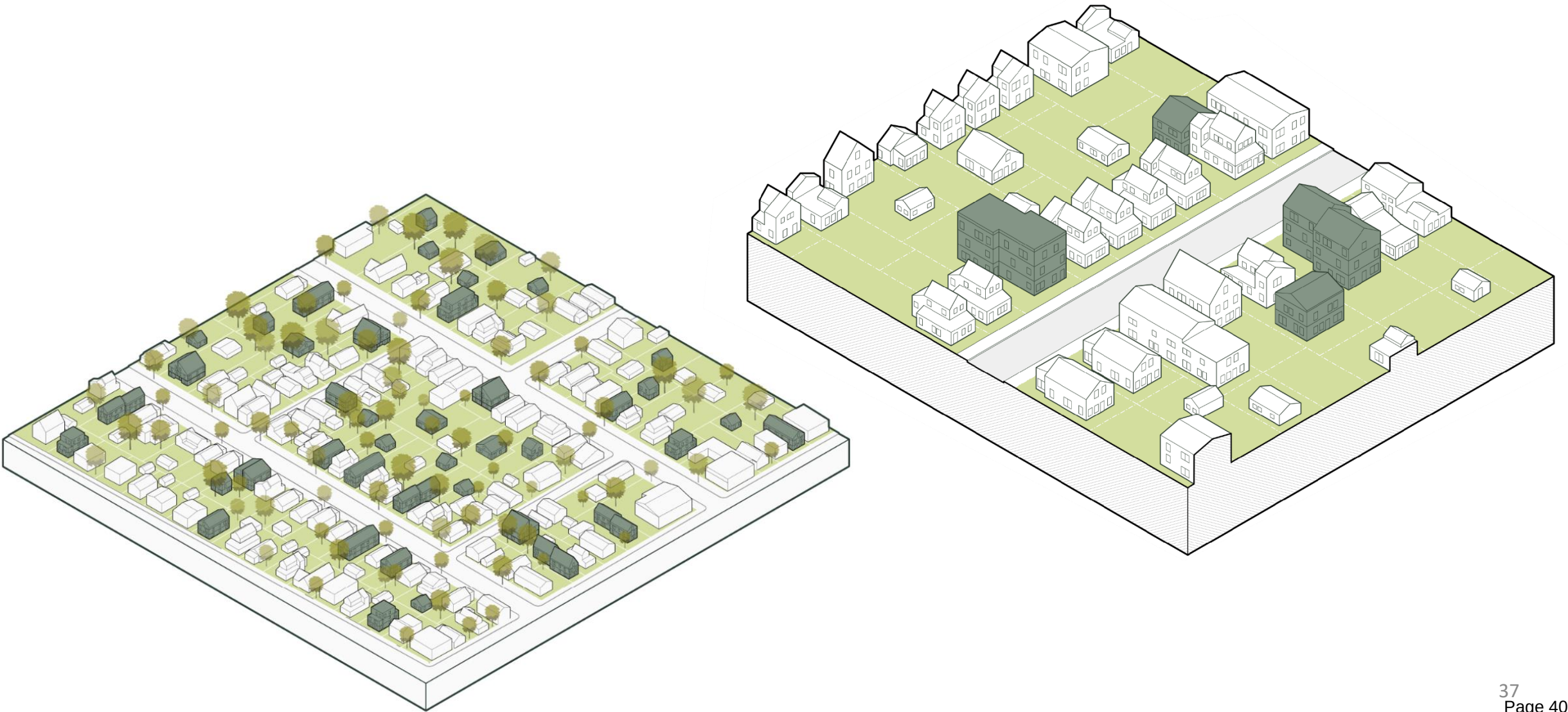
Testing Proposed RL Standards on Existing Lot



Test fit provided by Opticos, Inc. via AARP-VT's Technical Assistance Partnership, to test how proposed standards could be applied to a Burlington lot. Does not reflect a proposed development project; for discussion purposes only.

Program Summary		
Site		
Zone		RL
¹ Area		9,625 sf / 0.22 ac
Setback		
	Req.	Prop.
Front	18'0" +/- 5'0"	18'0"
Side (10% lot width)	7'6" min.	7'6" min.
Rear	20'0" min.	20'9" min.
Program		
	Req.	Prop.
Existing Unit Count	-	1 du
Proposed Unit Count	-	3 du
Total Unit Count	-	4 du
Density	-	18.18 du/ac
Primary Building Count	1 max.	1
² Primary Footprint	1,800 gsf	1,240 gsf
² Secondary Footprint (Carriage)	1,100 gsf/bldg	695 gsf
² Secondary Footprint (Duplex)	-	1,100 gsf
Accessory Structure Footprint	-	0
Impermeable Surface	-	1,530 gsf
³ Lot Coverage	45%	38%
⁴ Existing On-site Parking	-	1 sp
Proposed On-site Parking	-	4 sp
Total On-site Parking	-	4 sp
Proposed Building(s)		
	Unit Count	Stories
Carriage House	1	2
Duplex	2	2
Parking Mix		
	Req.	Prop.
On-street	-	2 sp
Surface (Driveway)	-	2 sp
Garage	-	2 sp
¹ Assumes single lot with maintenance agreement for semi-private open space.		
² Open porches not included in building footprints.		
³ Open porches included in lot coverage.		
⁴ Existing space removed in proposed plan.		
⁵ Carriage house can be separate unit, ADU, or additional habitable space (e.g., home office or guest room) for the primary building.		

Proposed RM Standards in Existing Context

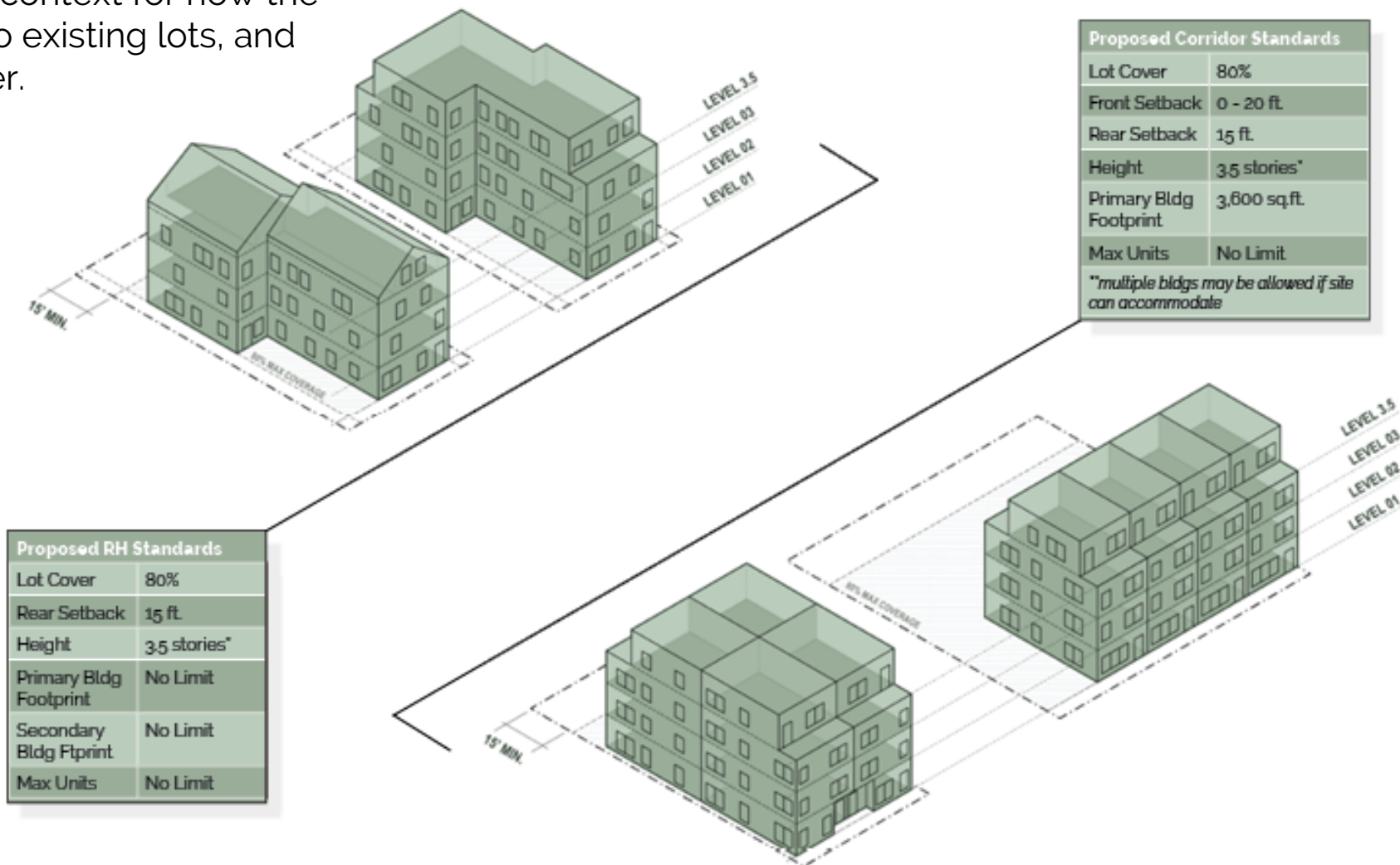


Proposed Changes: RH & Corridors

The diagrams provide additional context for how the proposed changes could apply to existing lots, and how they compare to one another.

All lots drawn at 5,500 sq.ft. to illustrate the respective district's allowed development intensity.

Diagrams intended to represent the maximum possible building intensity relative to a lot's size/other existing buildings. Does not illustrate parking; if lots included parking, building area would be reduced to meet lot coverage.



Construction Zone



This is a placeholder to recognize the many interrelated topics that have emerged when discussing Neighborhood Code zoning changes.

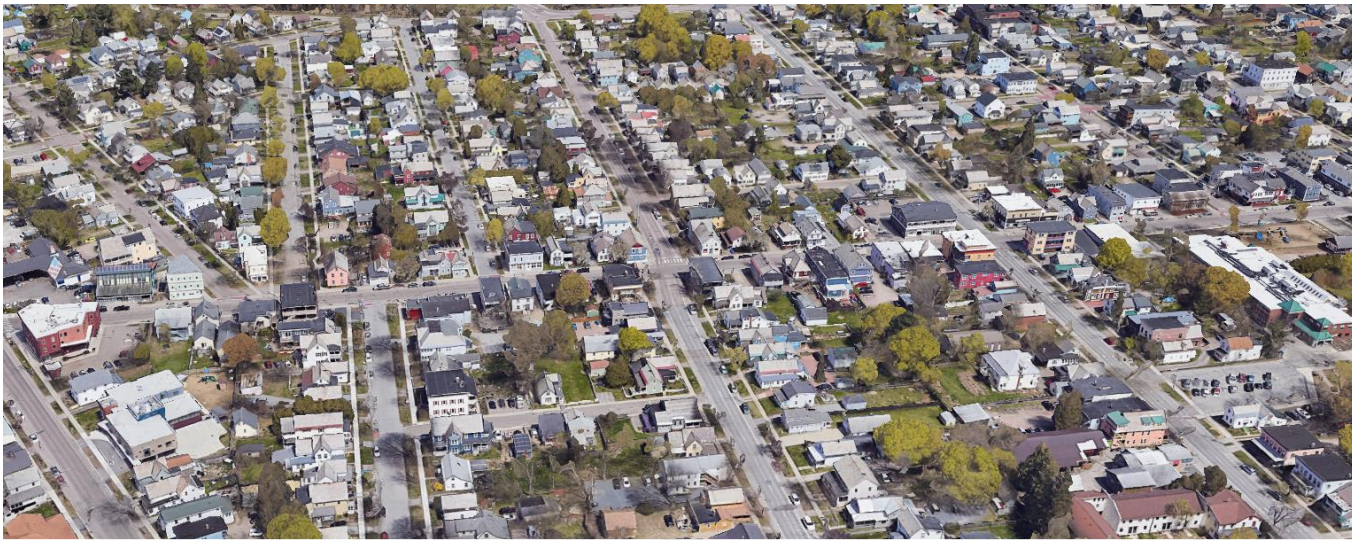
Future Land Use Decisions and/or Zoning Changes

- planBTV New North End- near term project:
 - Bigger decisions about scale along North Ave & redevelopment of larger sites, broader allowance for mixed-use
- Heights/densities/mixed-use provisions of other districts adjacent to new Corridor zones (i.e. NAC zones)
- Historic preservation regulations- preservation plan is near term project

Issues outside Zoning and/or requiring other departments/boards action

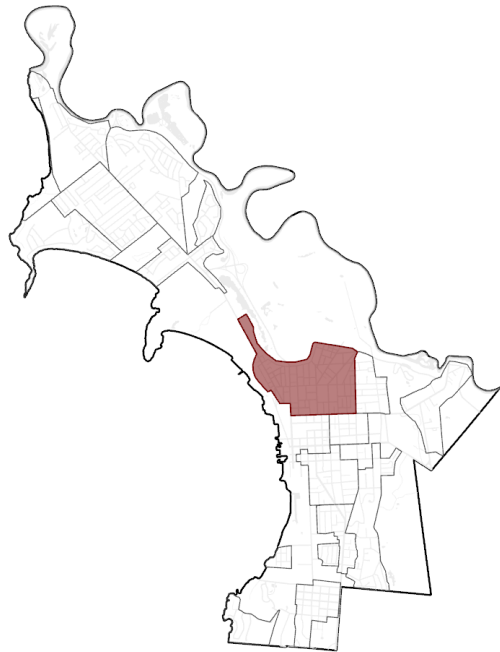
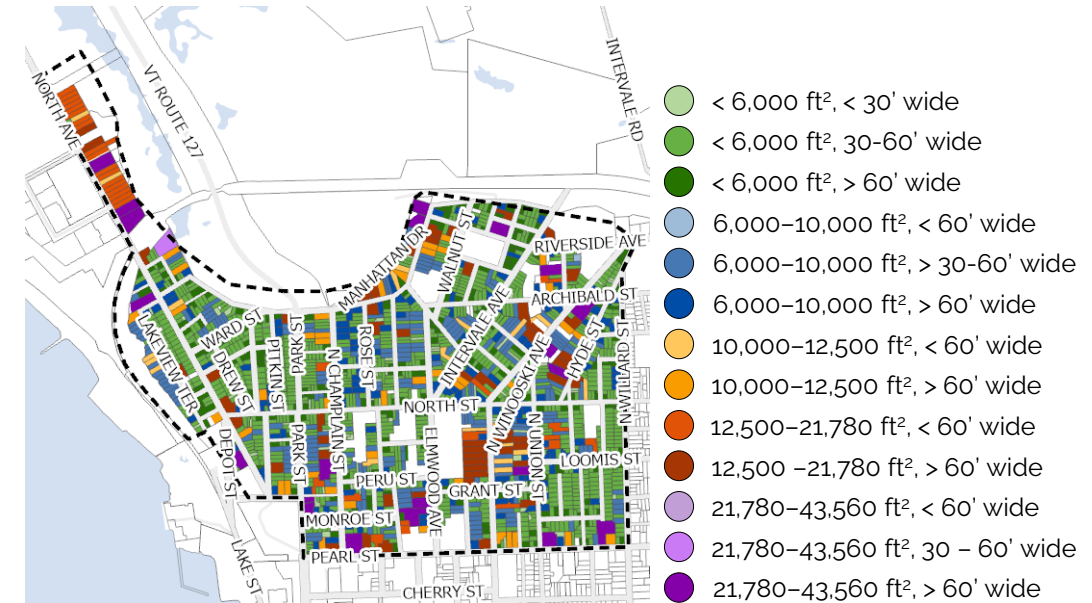
- Updates to Residential Best Management Practices and/or Ch. 26 Stormwater Ordinance to accelerate residential-scale GSI
- Potential building/fire code limits and/or alternative approaches (re: sprinklers, stairs, elevators, etc)
- Incentivizes for more owner-occupancy in newly allowed housing types (i.e. funding)
- Technical/financial assistance for "small developers"

Appendix A: Neighborhood Study Areas

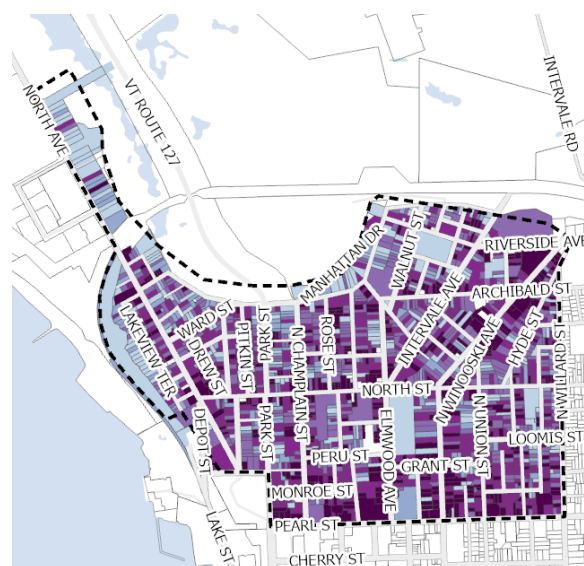
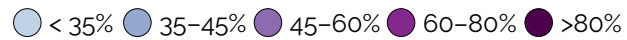


Study Area: Old North End - West

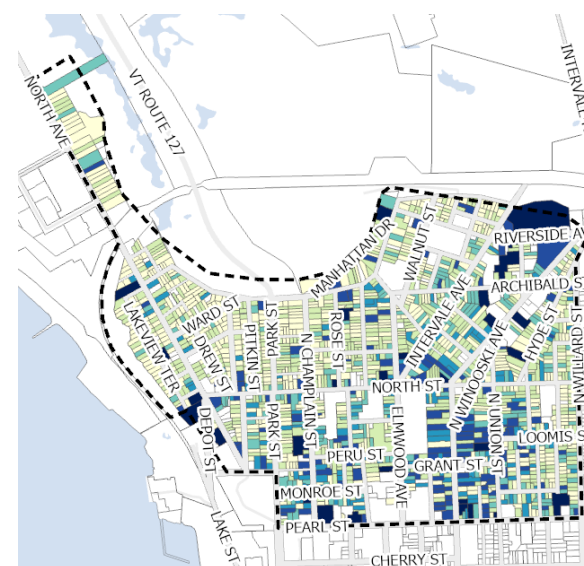
Existing Lot Size + Width



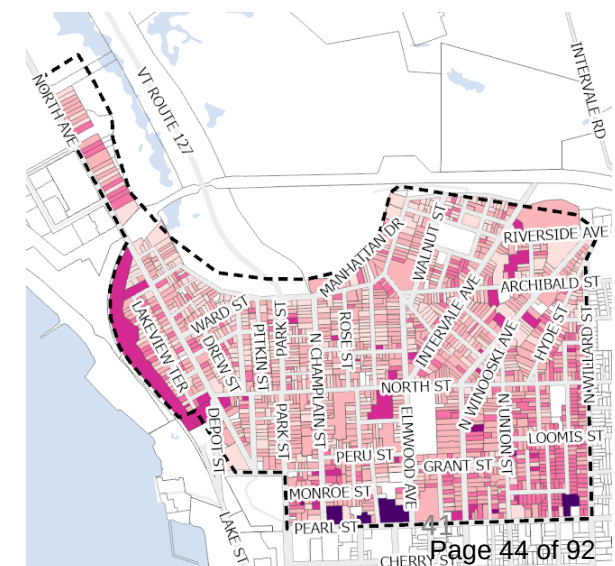
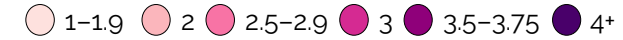
Lot Cover Percent

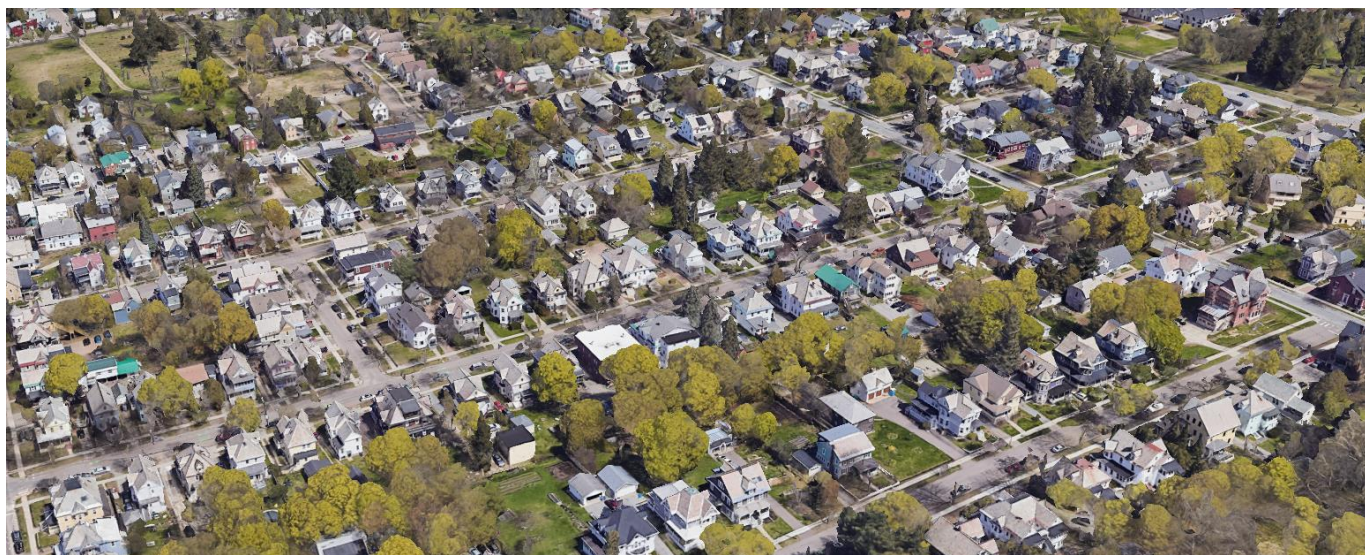


Number of Residential Units on Lots



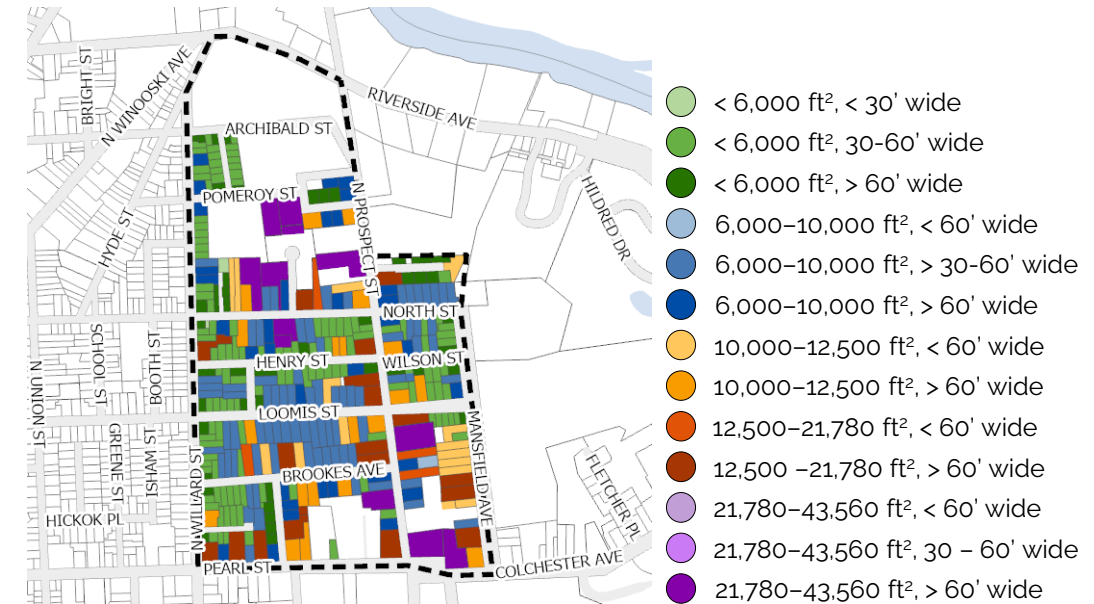
Number of Stories in Buildings on Lot





Study Area: Old North End - East

Existing Lot Size + Width



Lot Cover Percent

< 35% 35-45% 45-60% 60-80% >80%



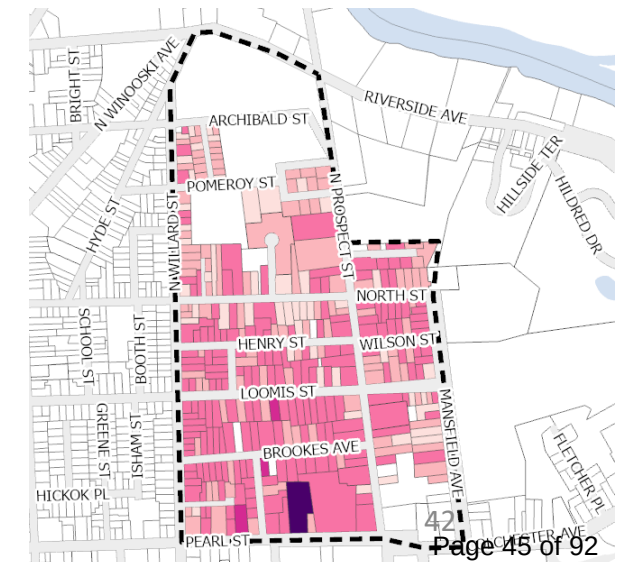
Number of Residential Units on Lots

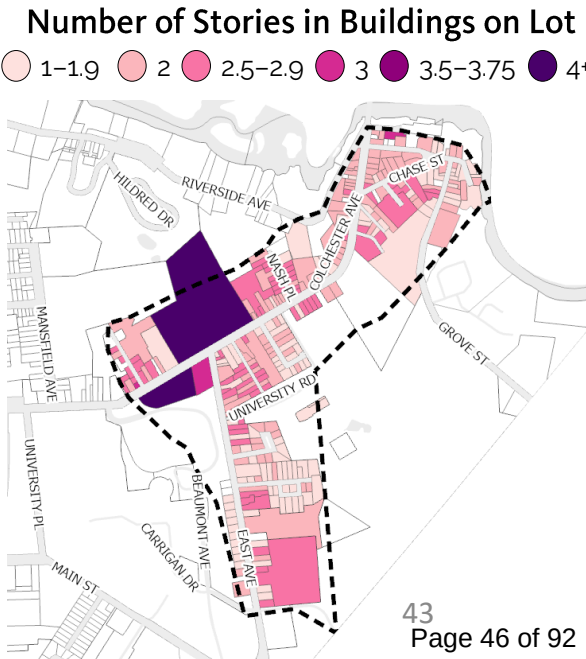
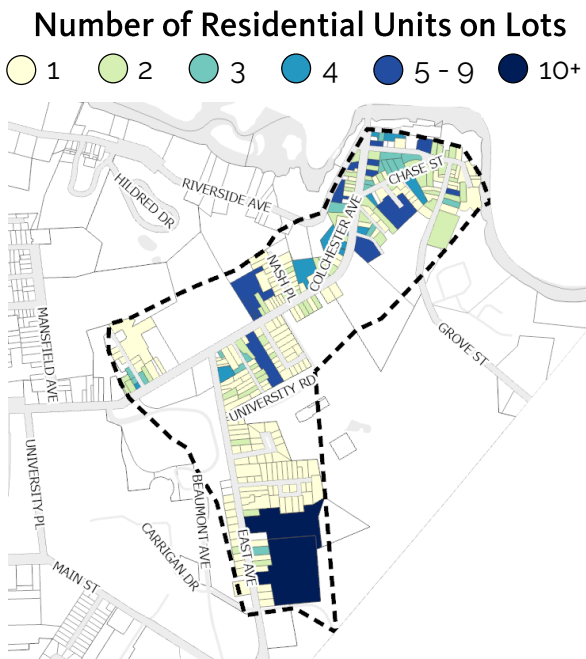
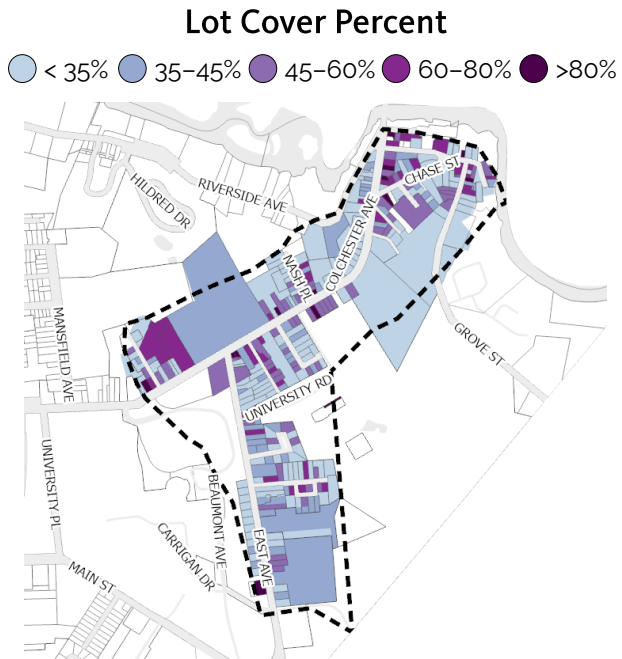
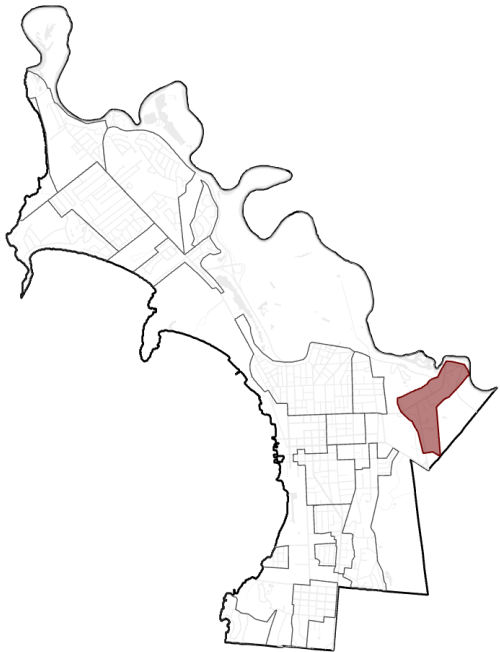
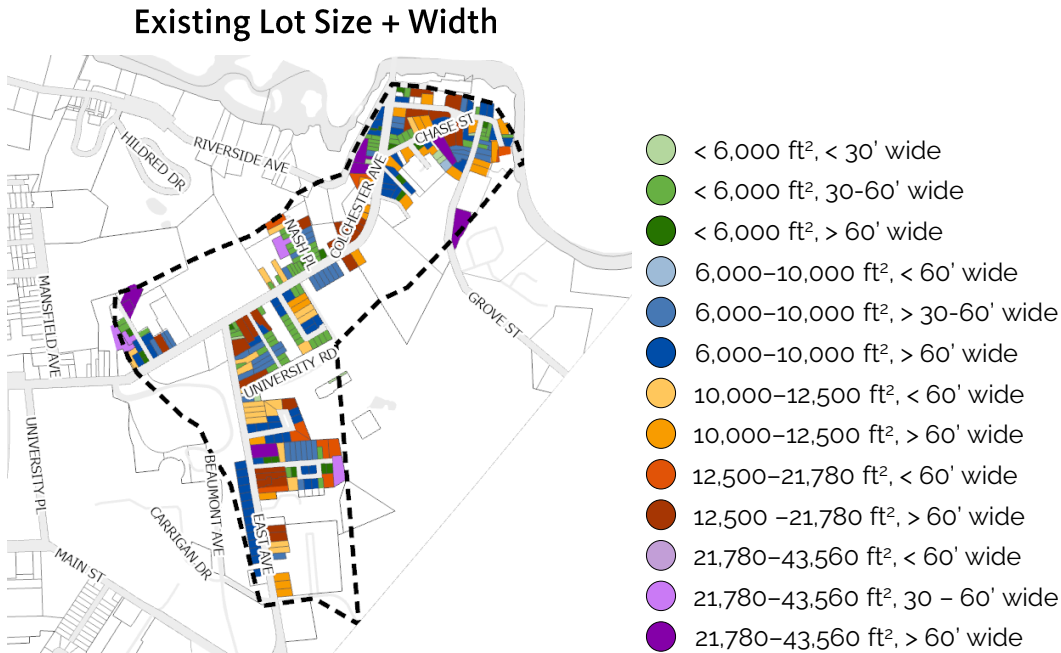
1 2 3 4 5 - 9 10+



Number of Stories in Buildings on Lot

1-1.9 2 2.5-2.9 3 3.5-3.75 4+





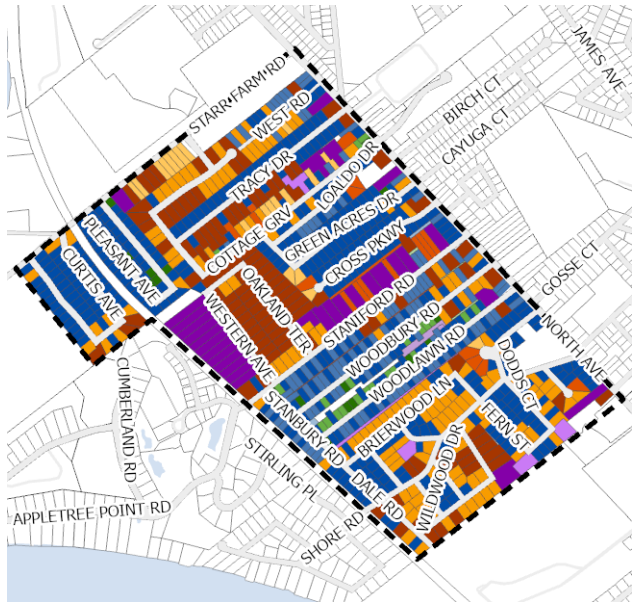
Additional Views: **Colchester Avenue**





Study Area: New North End - West

Existing Lot Size + Width



- < 6,000 ft², < 30' wide
- < 6,000 ft², 30-60' wide
- < 6,000 ft², > 60' wide
- 6,000-10,000 ft², < 60' wide
- 6,000-10,000 ft², > 30-60' wide
- 6,000-10,000 ft², > 60' wide
- 10,000-12,500 ft², < 60' wide
- 10,000-12,500 ft², > 60' wide
- 12,500-21,780 ft², < 60' wide
- 12,500-21,780 ft², > 60' wide
- 21,780-43,560 ft², < 60' wide
- 21,780-43,560 ft², 30 - 60' wide
- 21,780-43,560 ft², > 60' wide

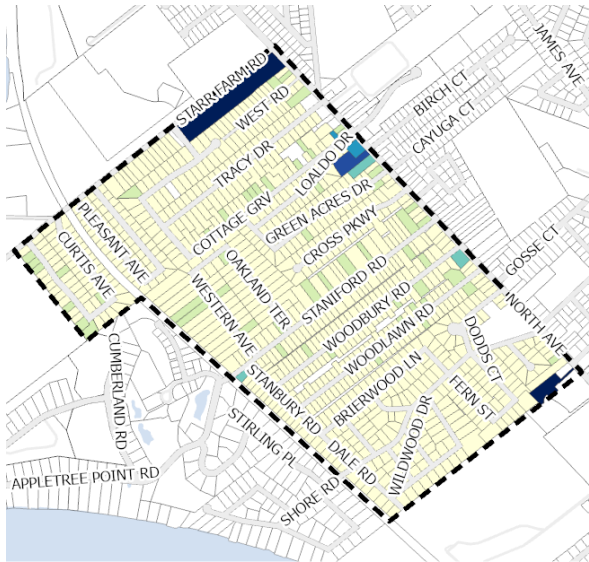
Lot Cover Percent

- < 35%
- 35-45%
- 45-60%
- 60-80%
- >80%



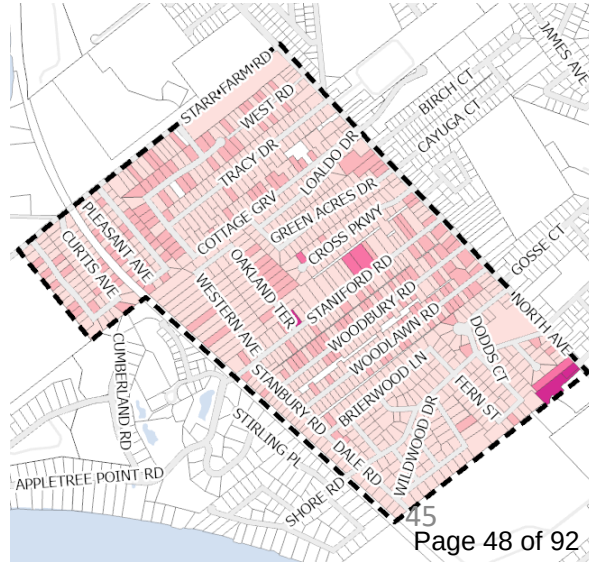
Number of Residential Units on Lots

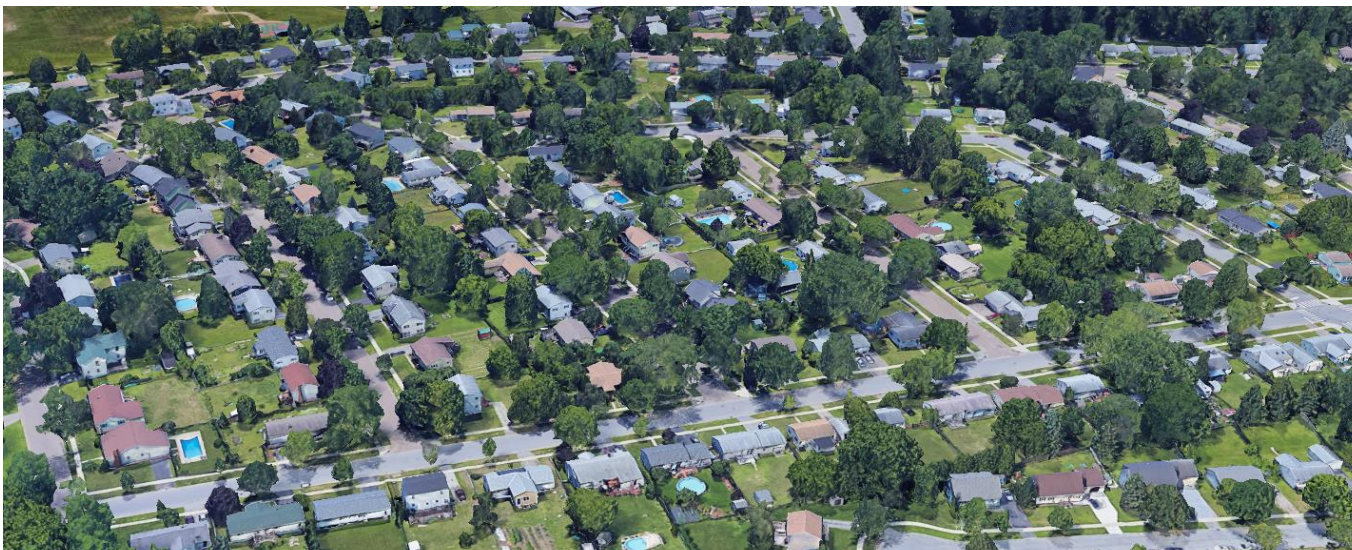
- 1
- 2
- 3
- 4
- 5 - 9
- 10+



Number of Stories in Buildings on Lot

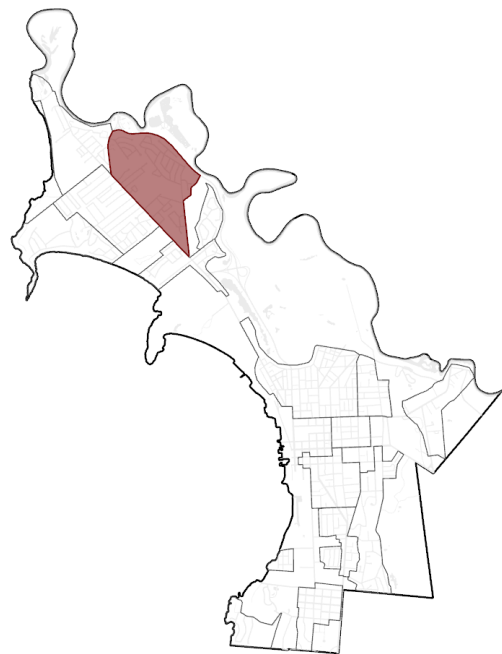
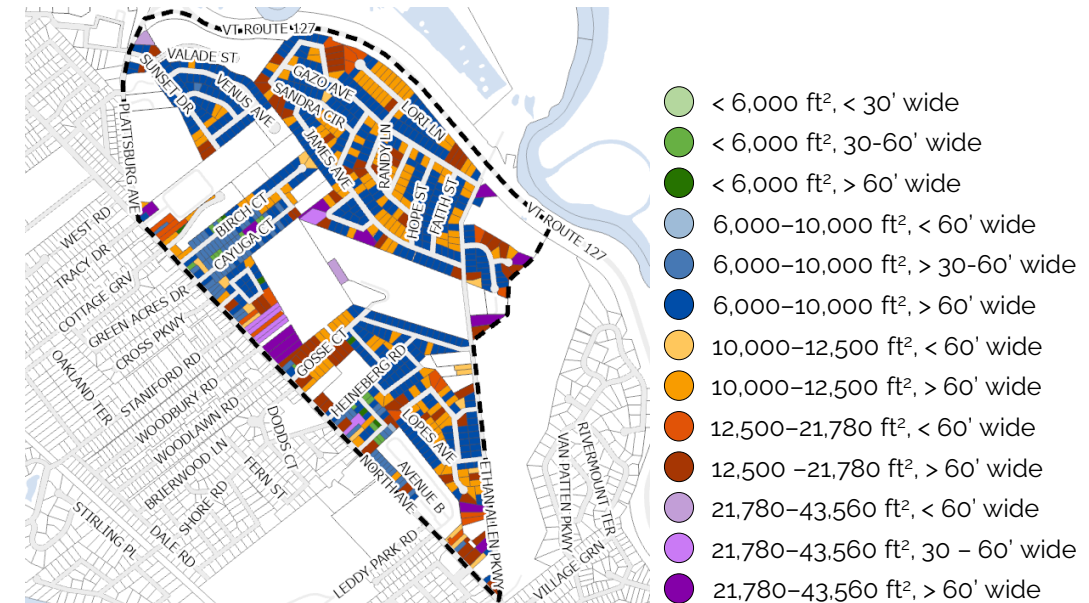
- 1-1.9
- 2
- 2.5-2.9
- 3
- 3.5-3.75
- 4+



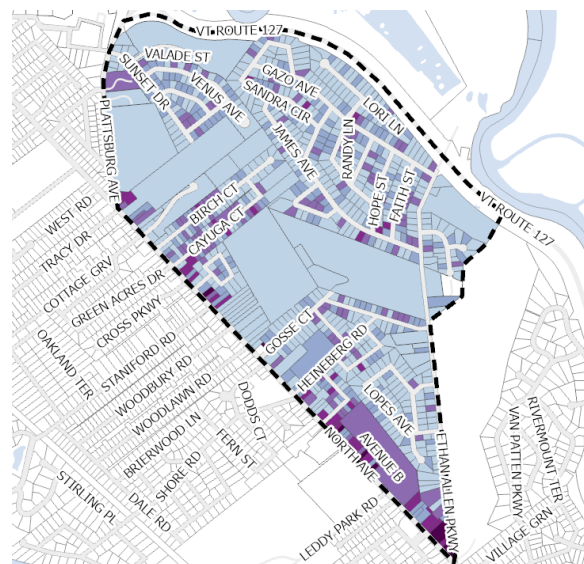
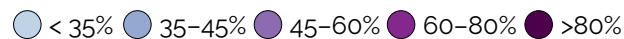


Study Area: New North End - East

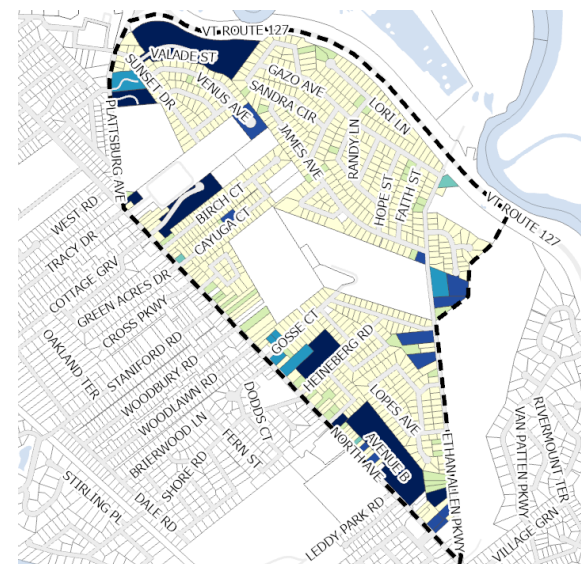
Existing Lot Size + Width



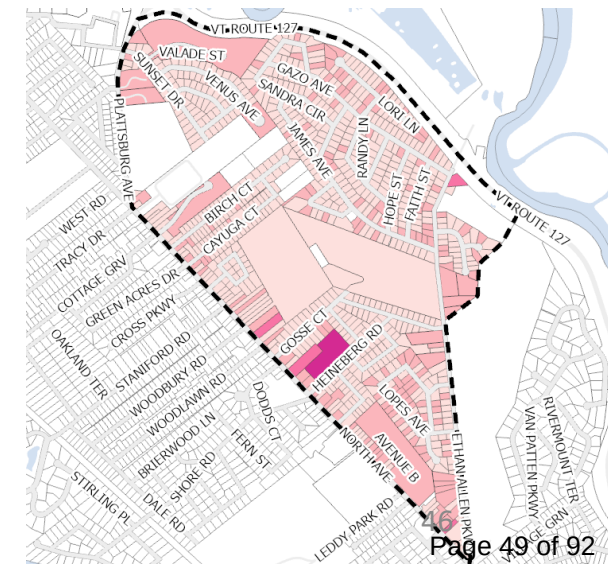
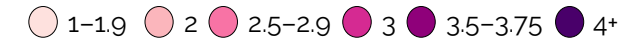
Lot Cover Percent



Number of Residential Units on Lots



Number of Stories in Buildings on Lot



Additional Views: **North Avenue Corridor**



Additional Views: **North Avenue Corridor**



Additional Views: **North Avenue Corridor**



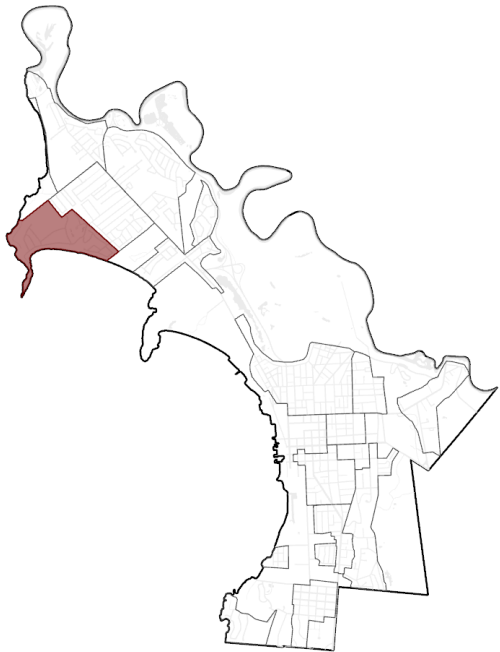


Study Area: Appletree Point

Existing Lot Size + Width

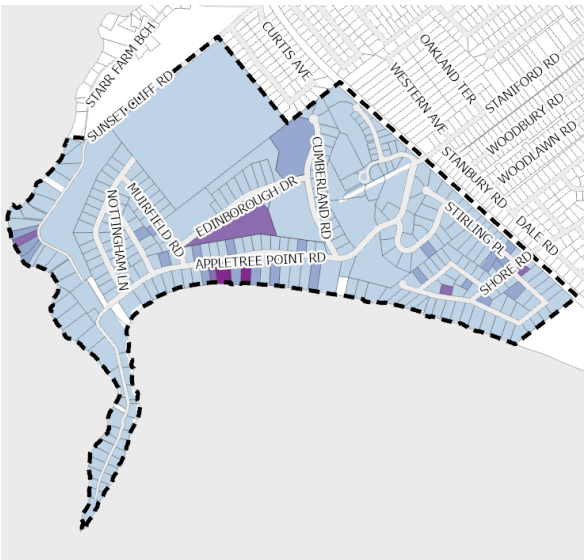


- < 6,000 ft², < 30' wide
- < 6,000 ft², 30-60' wide
- < 6,000 ft², > 60' wide
- 6,000-10,000 ft², < 60' wide
- 6,000-10,000 ft², > 30-60' wide
- 6,000-10,000 ft², > 60' wide
- 10,000-12,500 ft², < 60' wide
- 10,000-12,500 ft², > 60' wide
- 12,500-21,780 ft², < 60' wide
- 12,500-21,780 ft², > 60' wide
- 21,780-43,560 ft², < 60' wide
- 21,780-43,560 ft², 30 - 60' wide
- 21,780-43,560 ft², > 60' wide



Lot Cover Percent

- < 35%
- 35-45%
- 45-60%
- 60-80%
- >80%



Number of Residential Units on Lots

- 1
- 2
- 3
- 4
- 5 - 9
- 10+



Number of Stories in Buildings on Lot

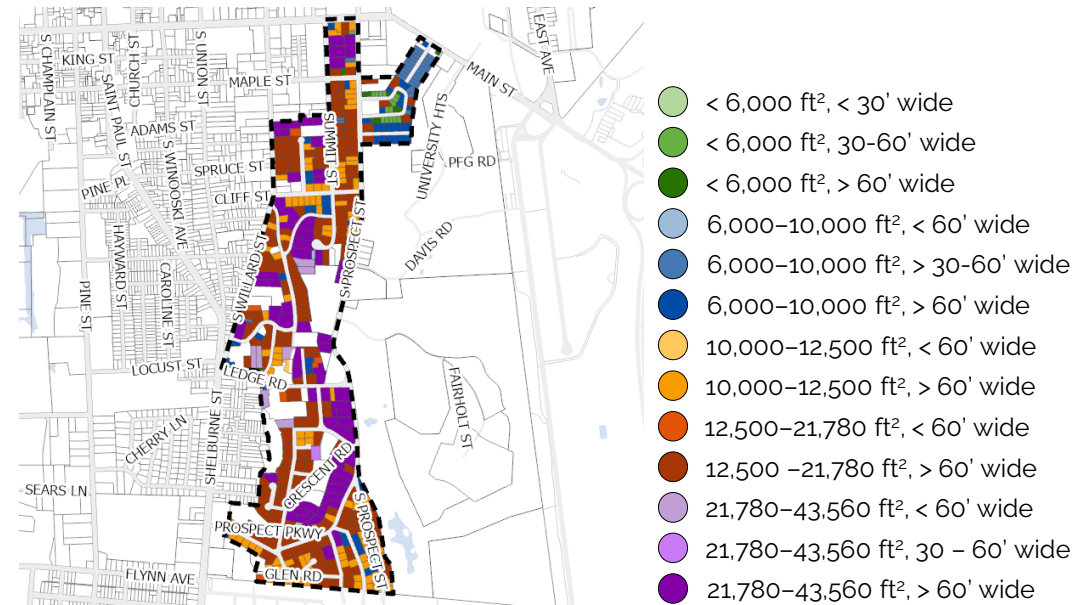
- 1-1.9
- 2
- 2.5-2.9
- 3
- 3.5-3.75
- 4+



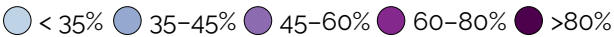


Study Area: Hill Section

Existing Lot Size + Width



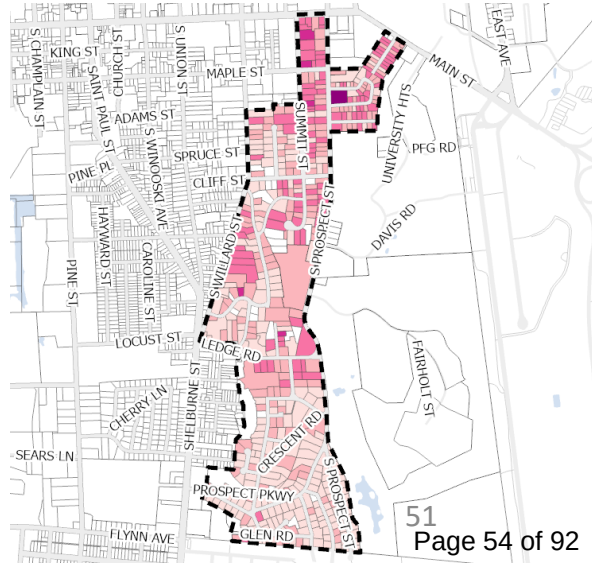
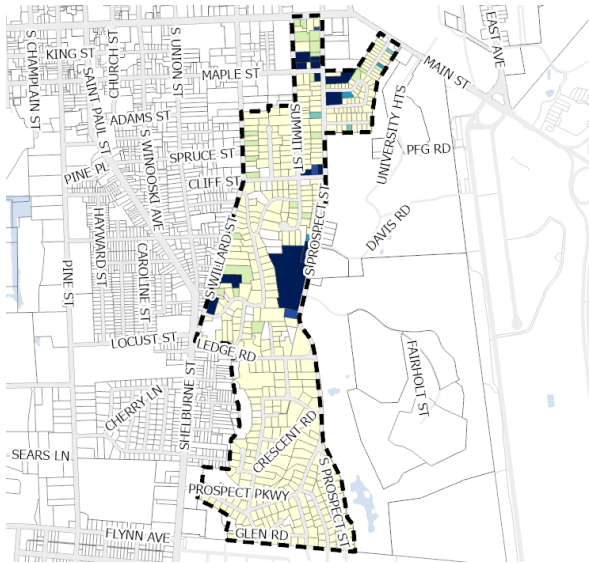
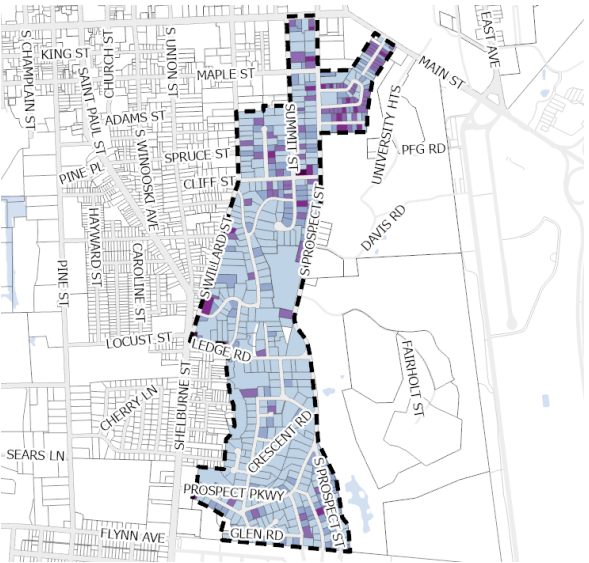
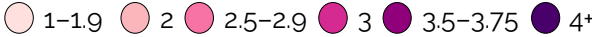
Lot Cover Percent



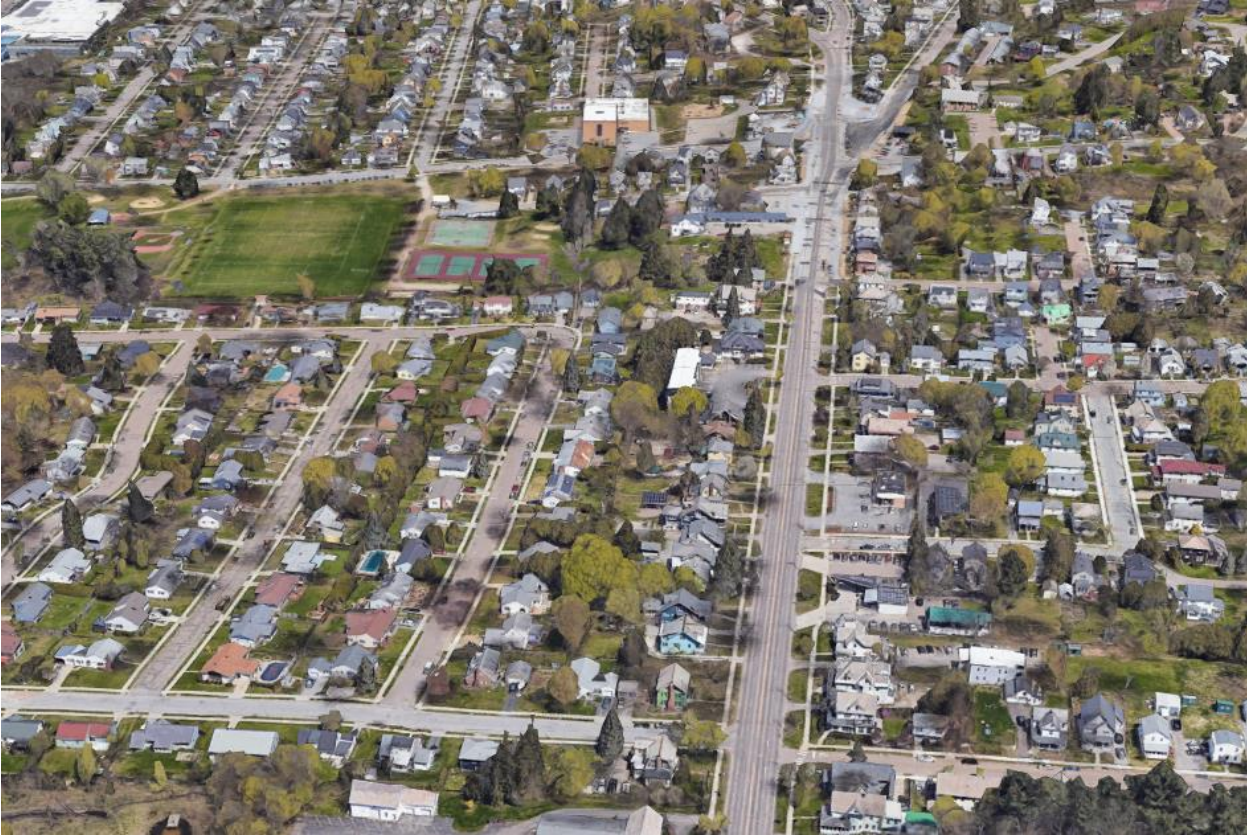
Number of Residential Units on Lots



Number of Stories in Buildings on Lot

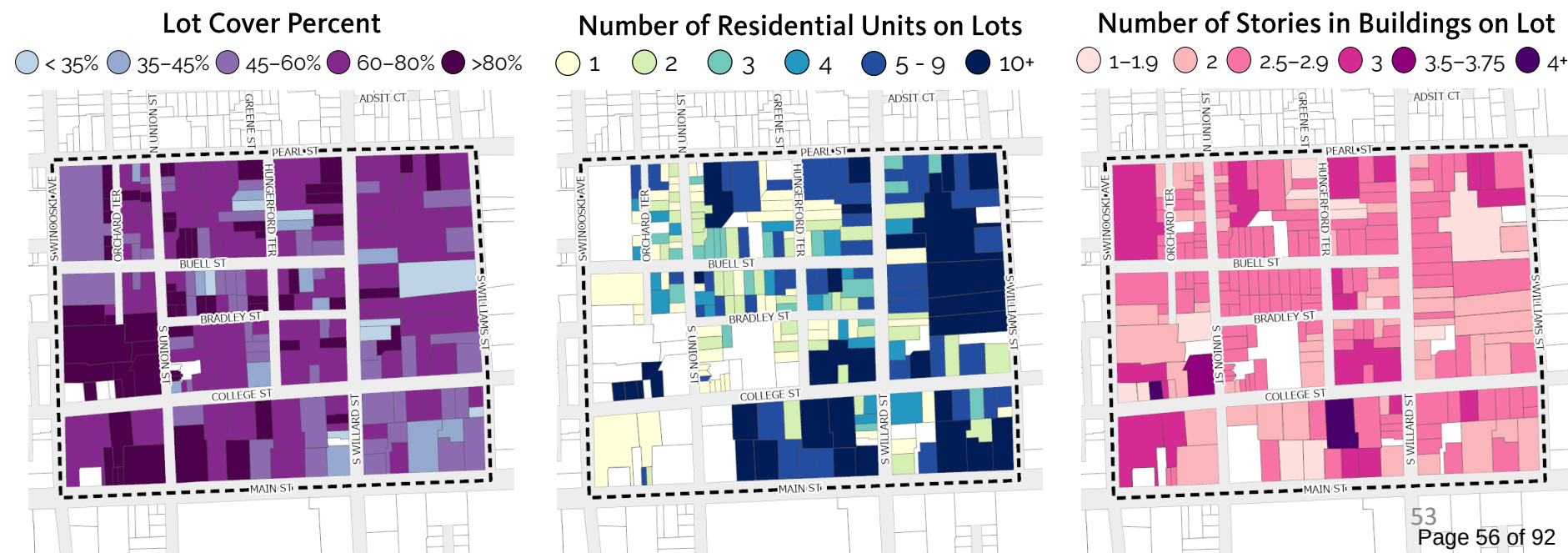
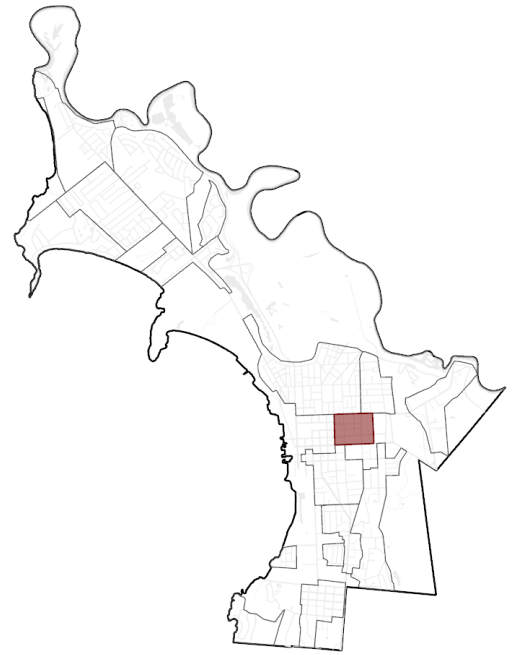
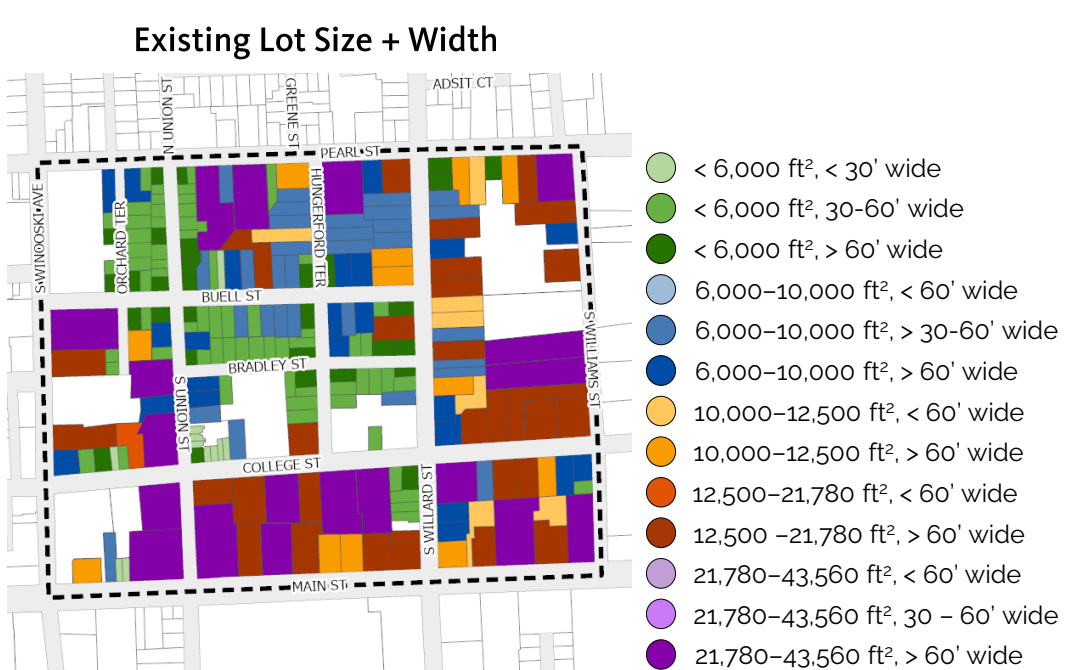


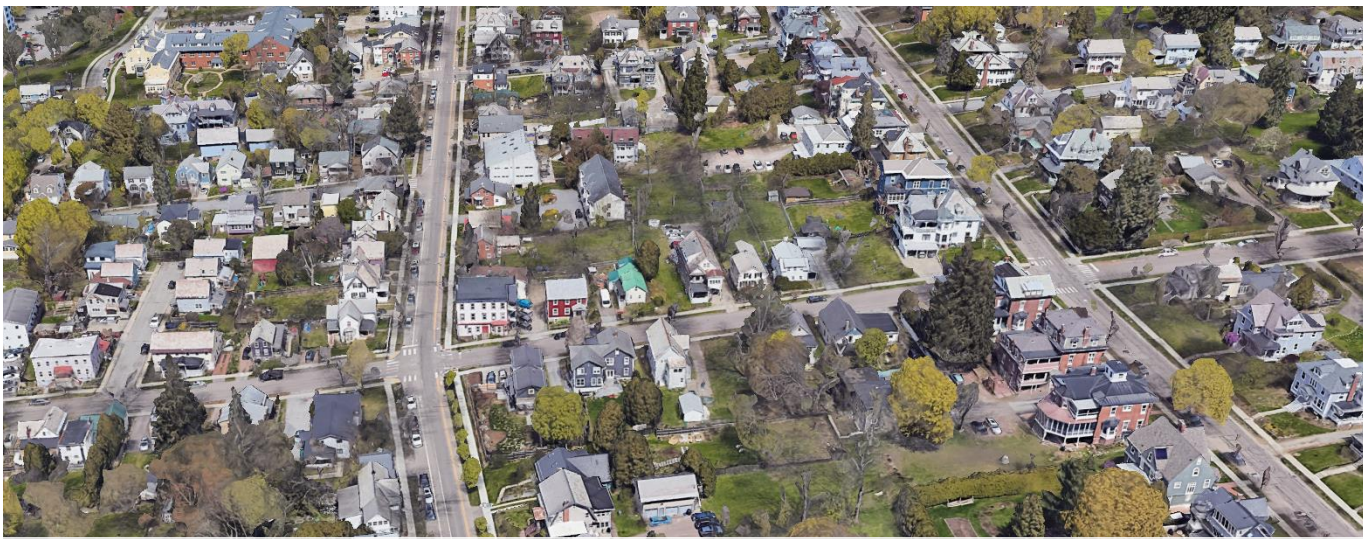
Additional Views: **Shelburne Rd**





Study Area: East of Downtown



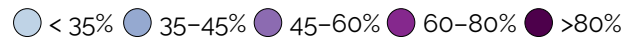


Study Area: South of Downtown

Existing Lot Size + Width



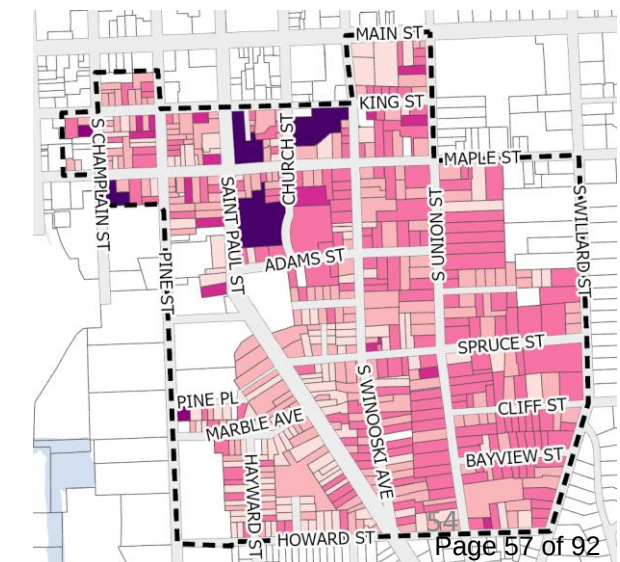
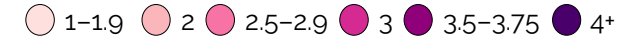
Lot Cover Percent

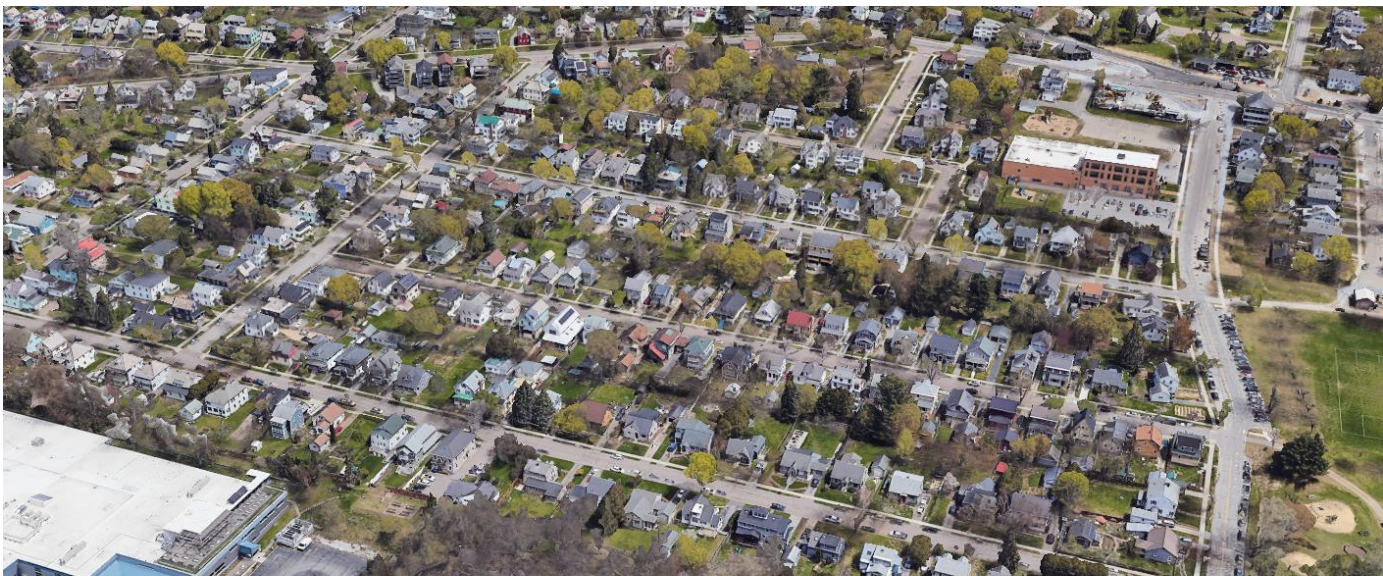


Number of Residential Units on Lots



Number of Stories in Buildings on Lot





Study Area: **Five Sisters + Hoover/Clymer**

Existing Lot Size + Width



Lot Cover Percent

< 35% 35-45% 45-60% 60-80% >80%



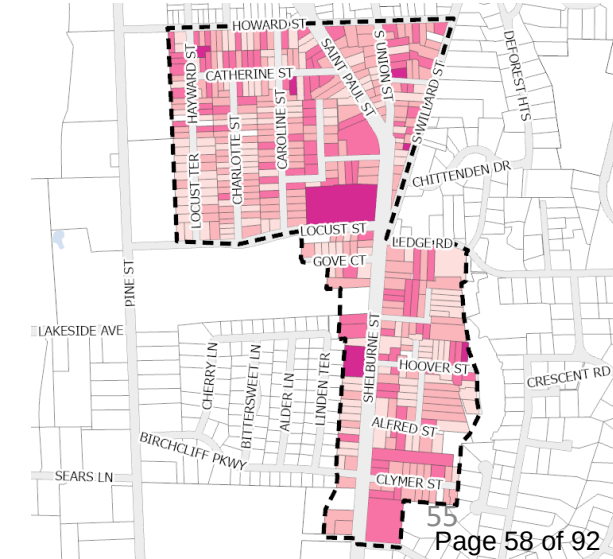
Number of Residential Units on Lots

1 2 3 4 5 - 9 10+



Number of Stories in Buildings on Lot

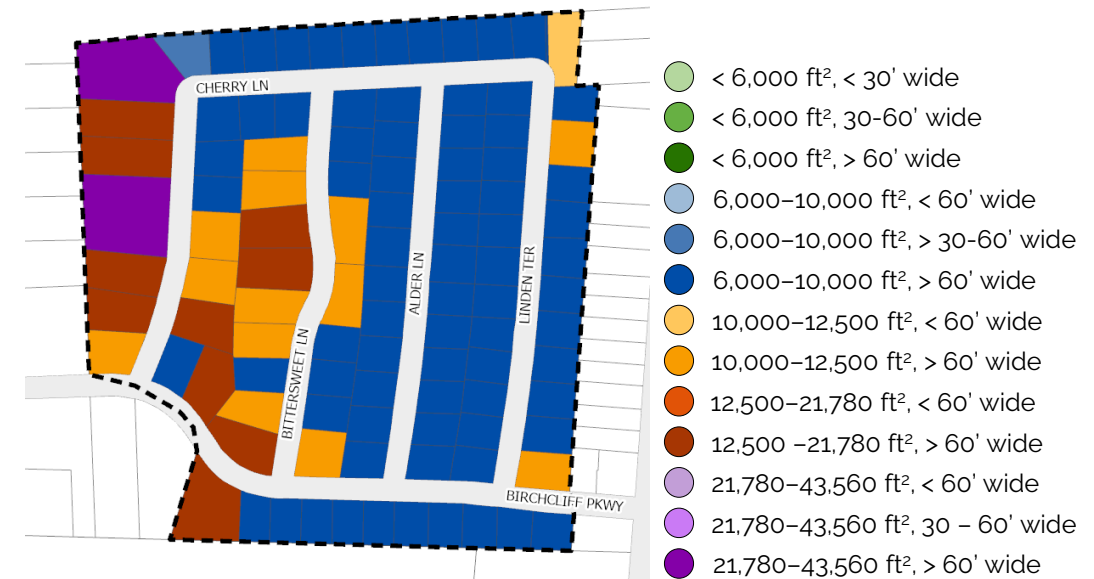
1-1.9 2 2.5-2.9 3 3.5-3.75 4+



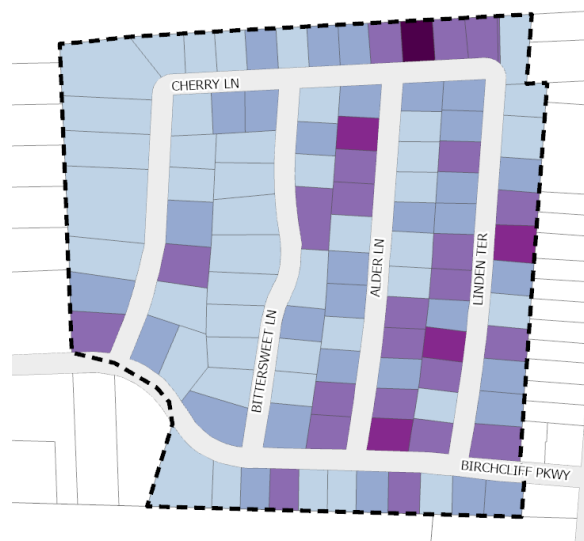
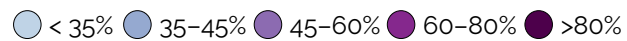


Study Area: Birchcliff

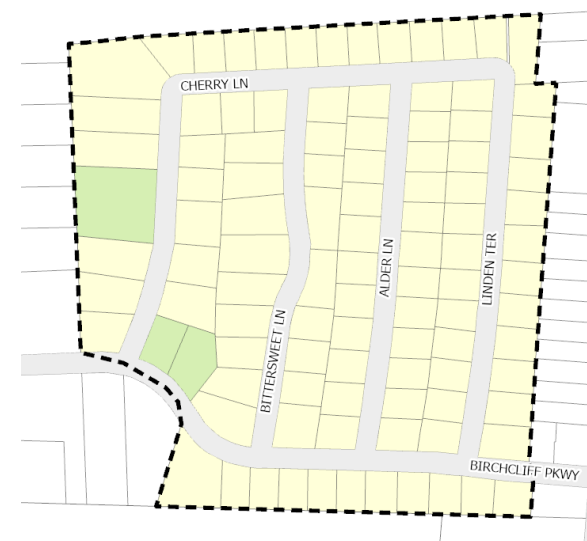
Existing Lot Size + Width



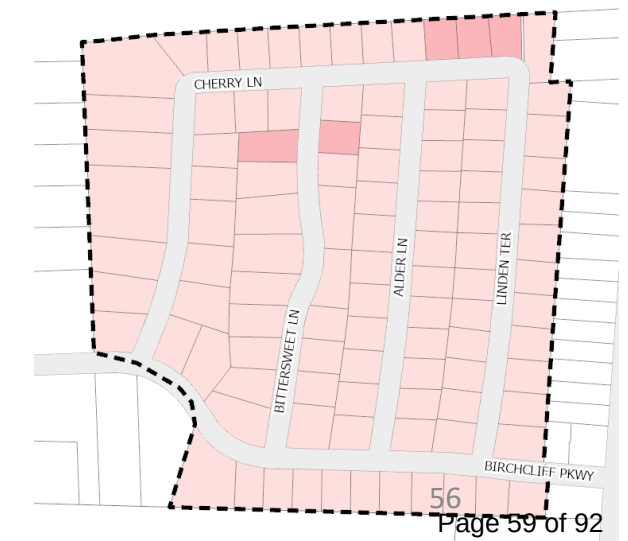
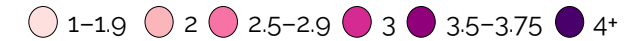
Lot Cover Percent

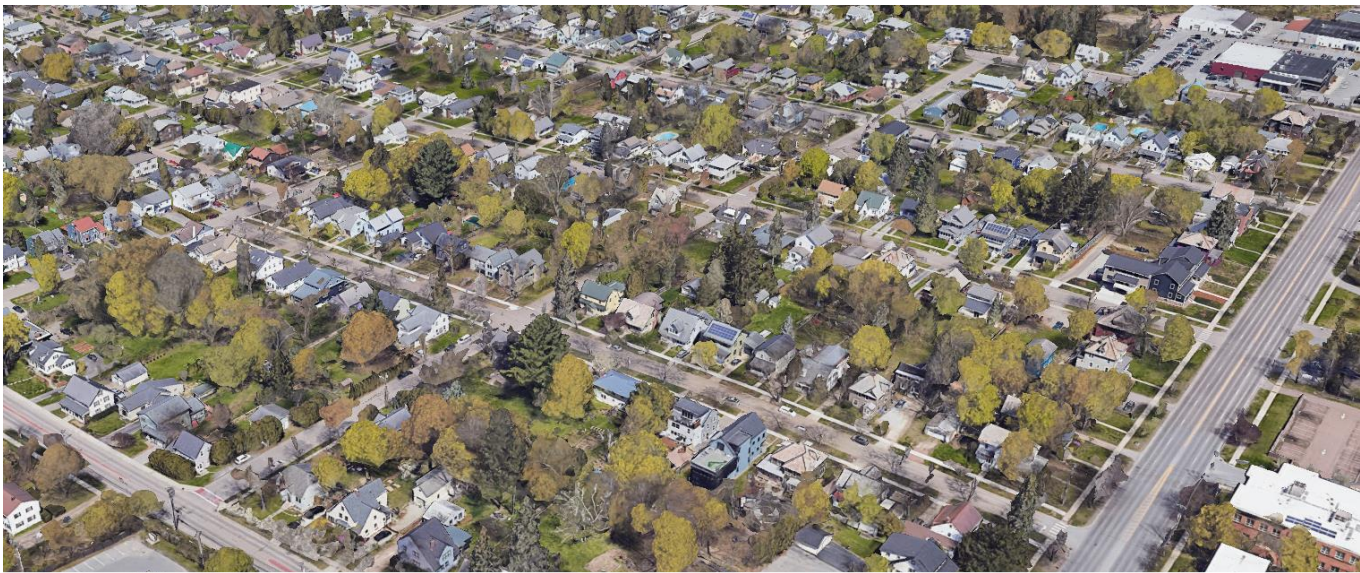


Number of Residential Units on Lots



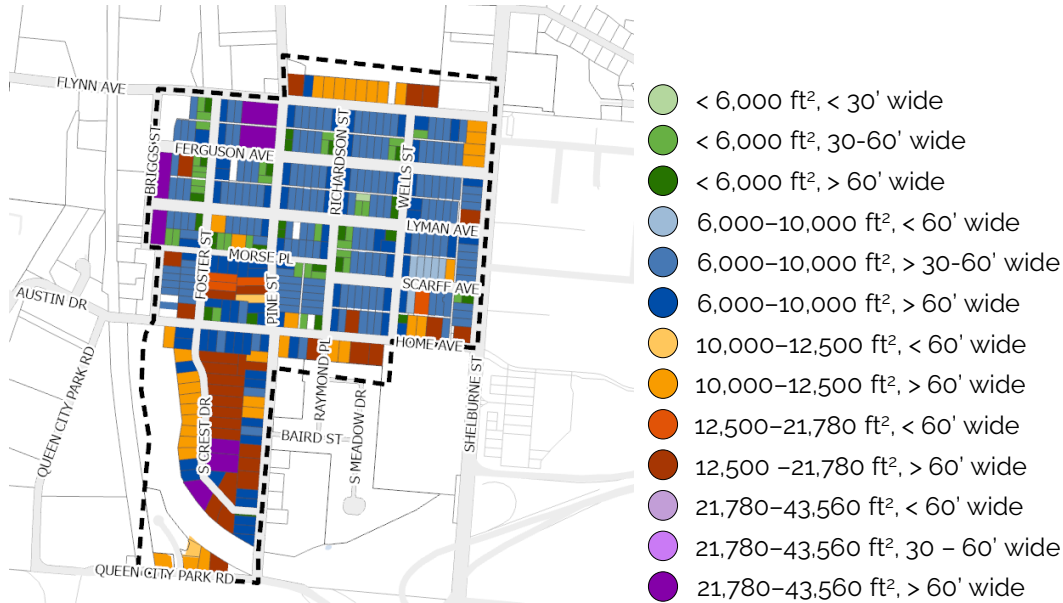
Number of Stories in Buildings on Lot





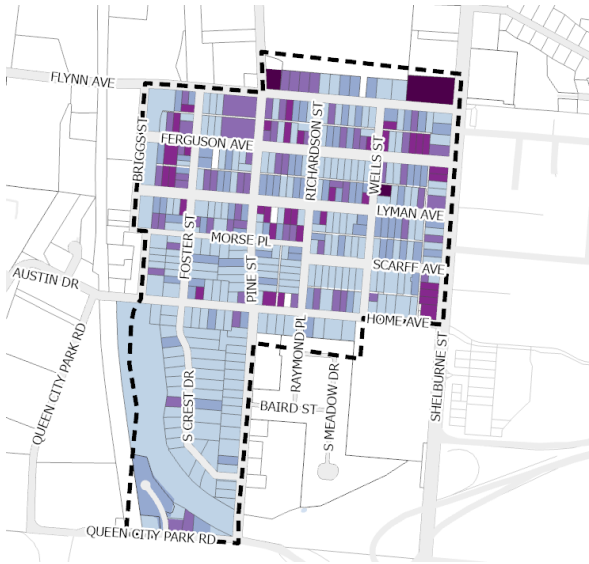
Study Area: **Five Avenues**

Existing Lot Size + Width



Lot Cover Percent

- Legend for Lot Cover Percent:
- < 35%
 - 35–45%
 - 45–60%
 - 60–80%
 - >80%



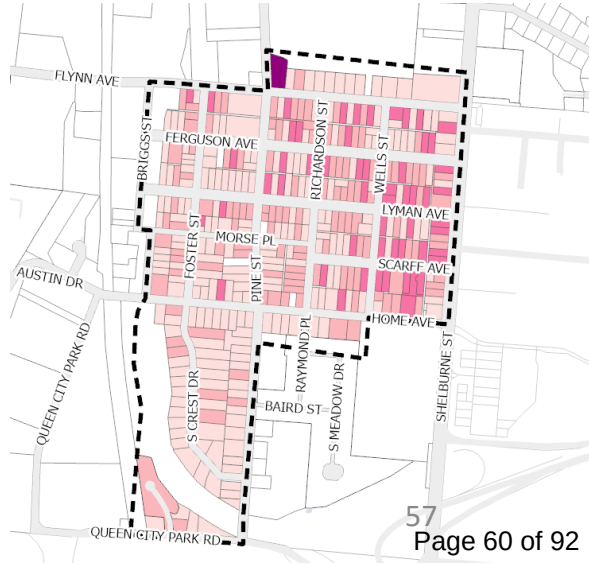
Number of Residential Units on Lots

- Legend for Number of Residential Units on Lots:
- 1
 - 2
 - 3
 - 4
 - 5 - 9
 - 10+



Number of Stories in Buildings on Lot

- Legend for Number of Stories in Buildings on Lot:
- 1–1.9
 - 2
 - 2.5–2.9
 - 3
 - 3.5–3.75
 - 4+



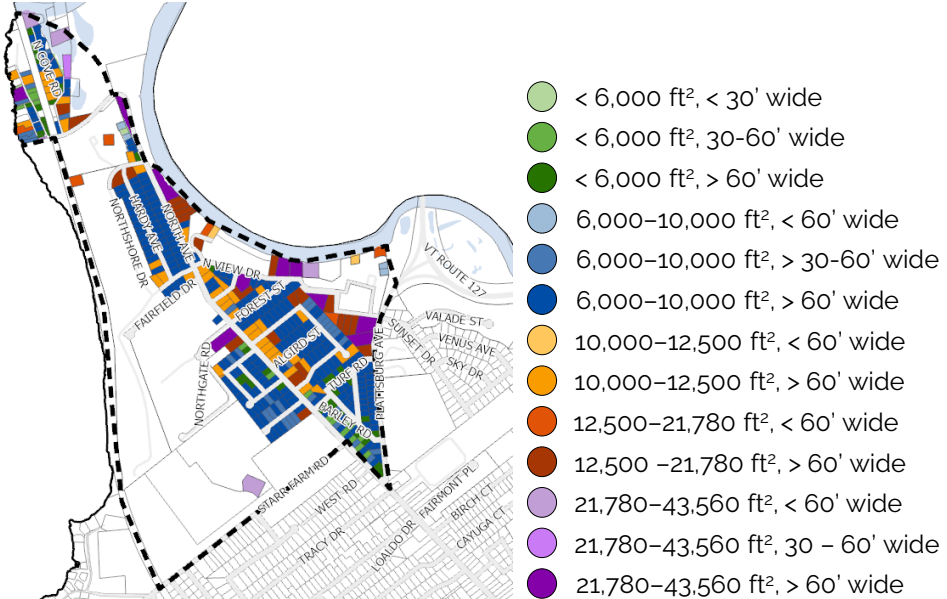
Additional Views: **Pine Street**



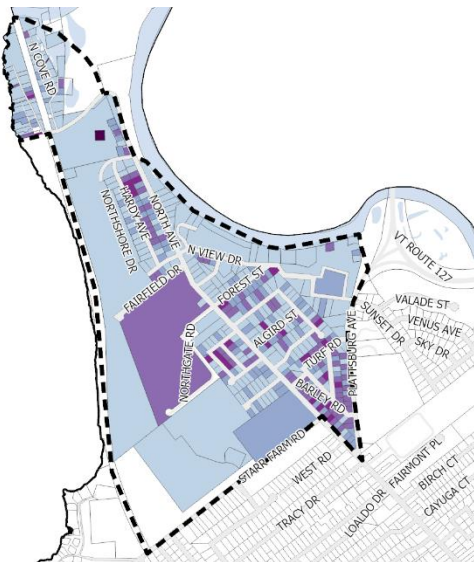
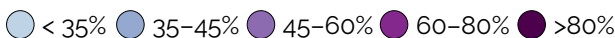


Study Area: Far New North End

Existing Lot Size + Width



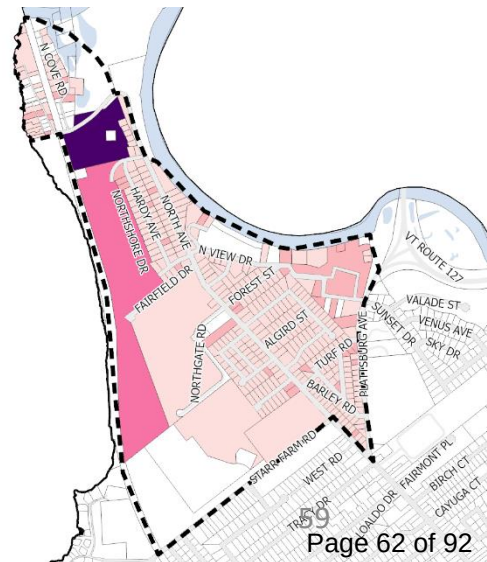
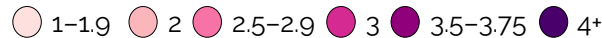
Lot Cover Percent



Number of Residential Units on Lots

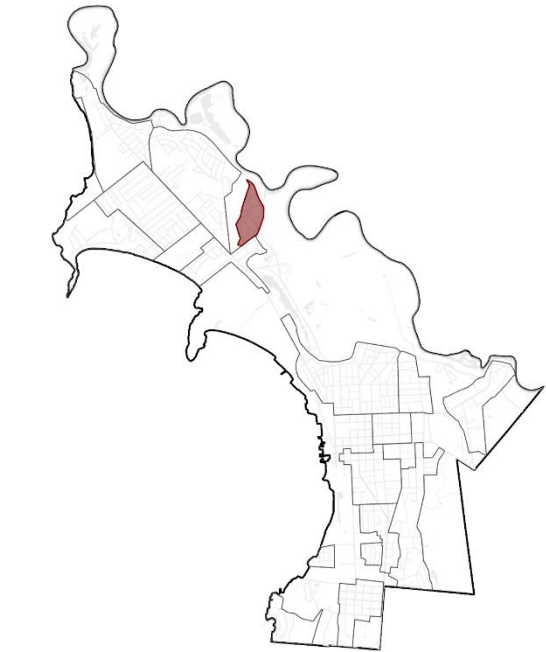
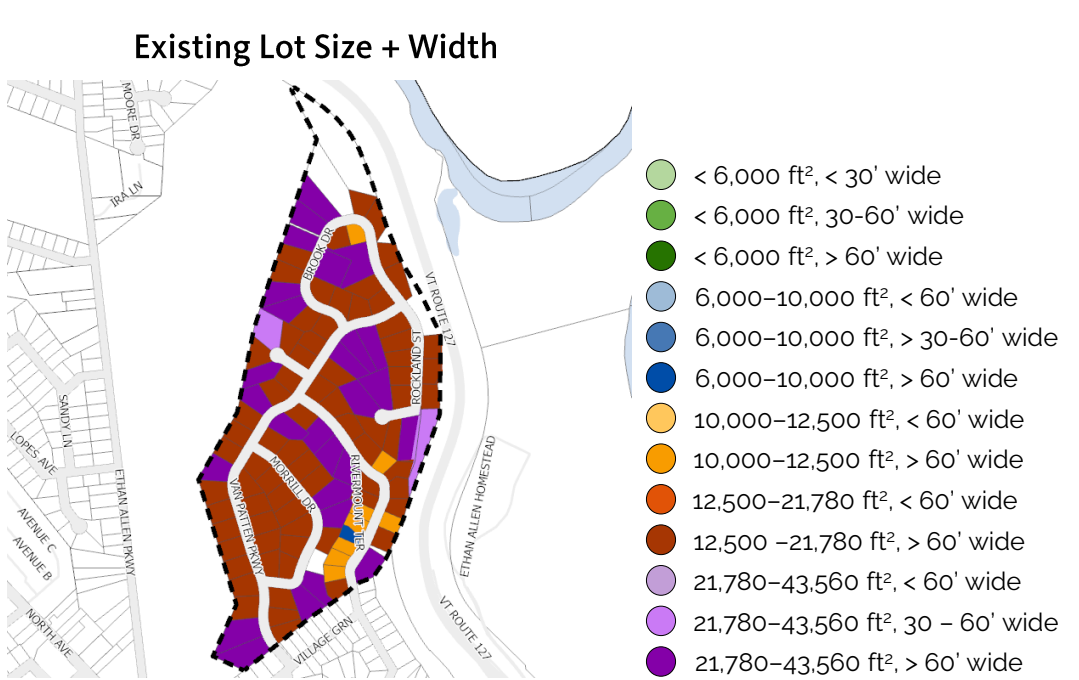


Number of Stories in Buildings on Lot



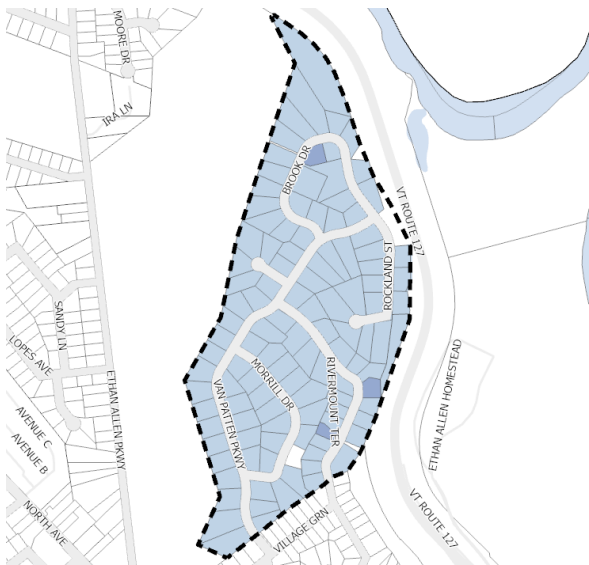


Study Area: Van Patten



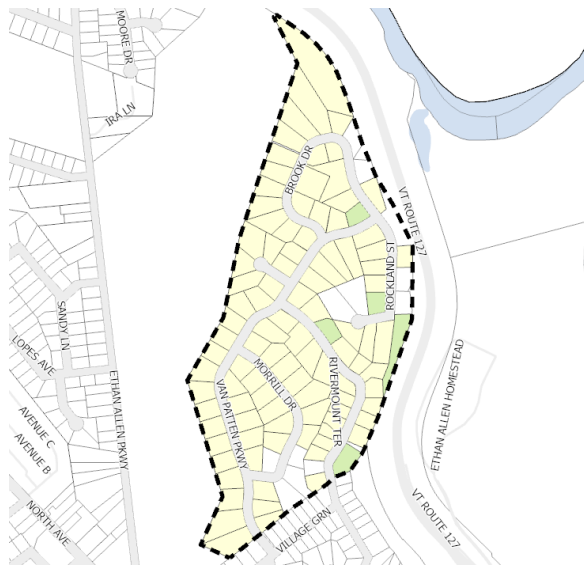
Lot Cover Percent

- < 35%
- 35–45%
- 45–60%
- 60–80%
- >80%



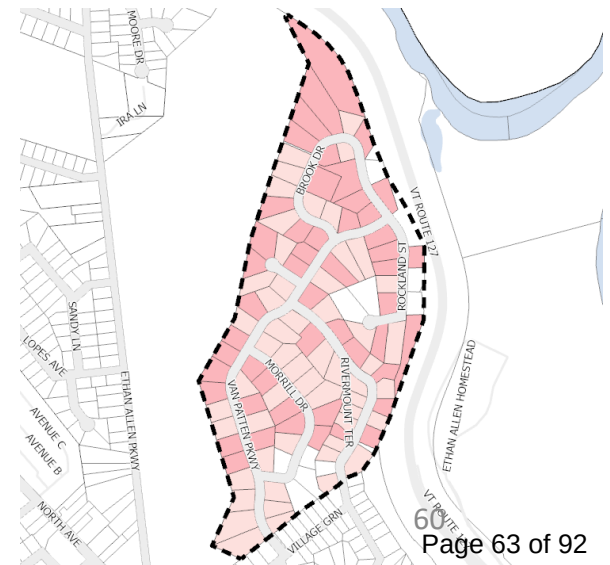
Number of Residential Units on Lots

- 1
- 2
- 3
- 4
- 5 - 9
- 10+



Number of Stories in Buildings on Lot

- 1–1.9
- 2
- 2.5–2.9
- 3
- 3.5–3.75
- 4+





Study Area: Lakewood + Village Green

Existing Lot Size + Width



Lot Cover Percent

● < 35%
 ● 35-45%
 ● 45-60%
 ● 60-80%
 ● >80%



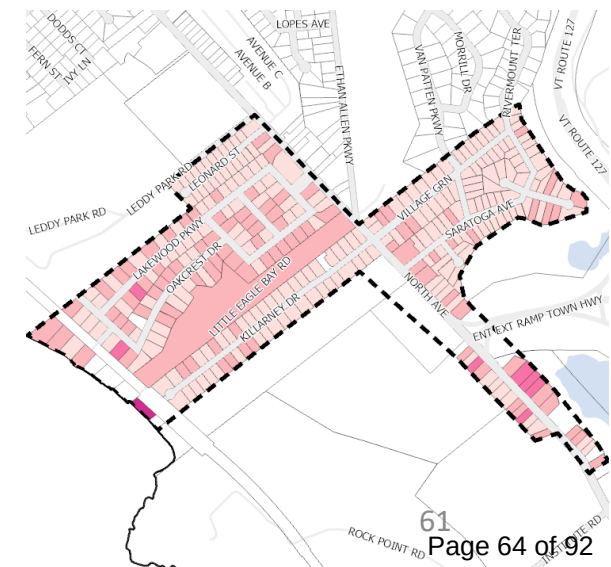
Number of Residential Units on Lots

● 1
 ● 2
 ● 3
 ● 4
 ● 5 - 9
 ● 10+



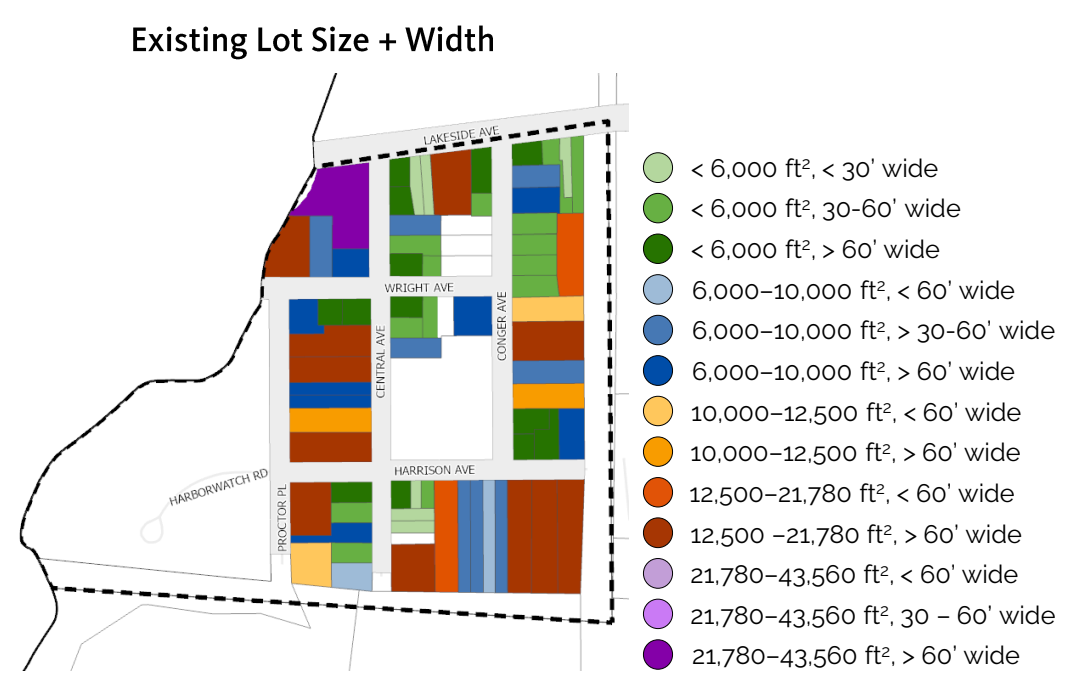
Number of Stories in Buildings on Lot

● 1-1.9
 ● 2
 ● 2.5-2.9
 ● 3
 ● 3.5-3.75
 ● 4+



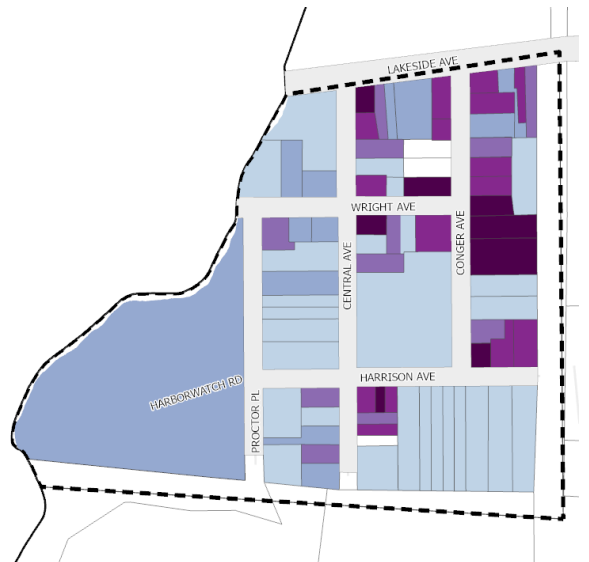


Study Area: Lakeside



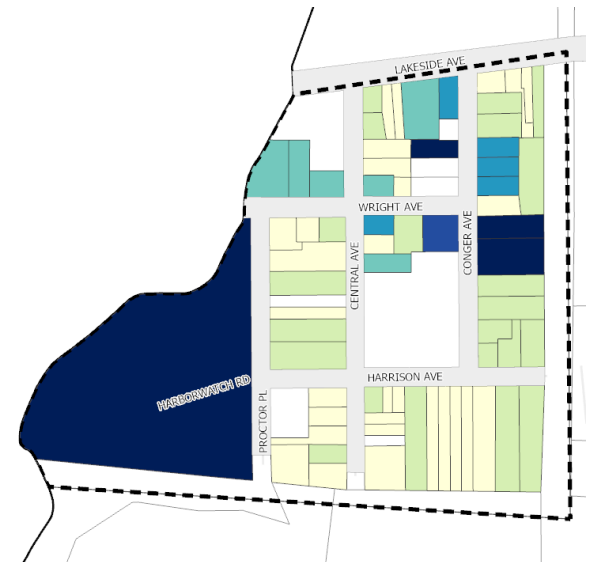
Lot Cover Percent

- < 35%
- 35–45%
- 45–60%
- 60–80%
- >80%



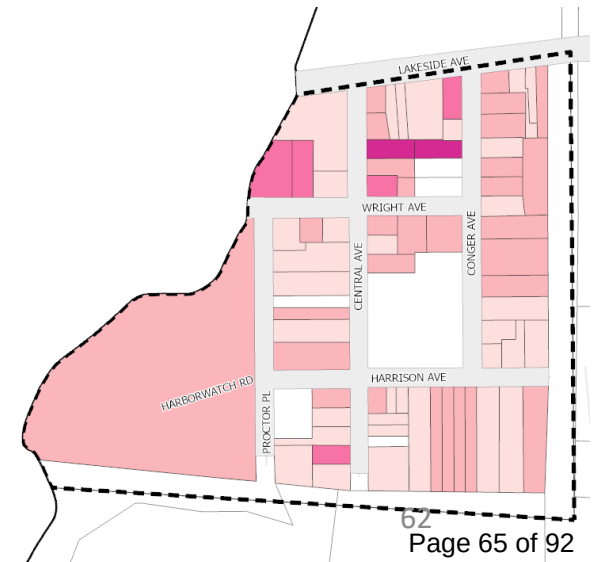
Number of Residential Units on Lots

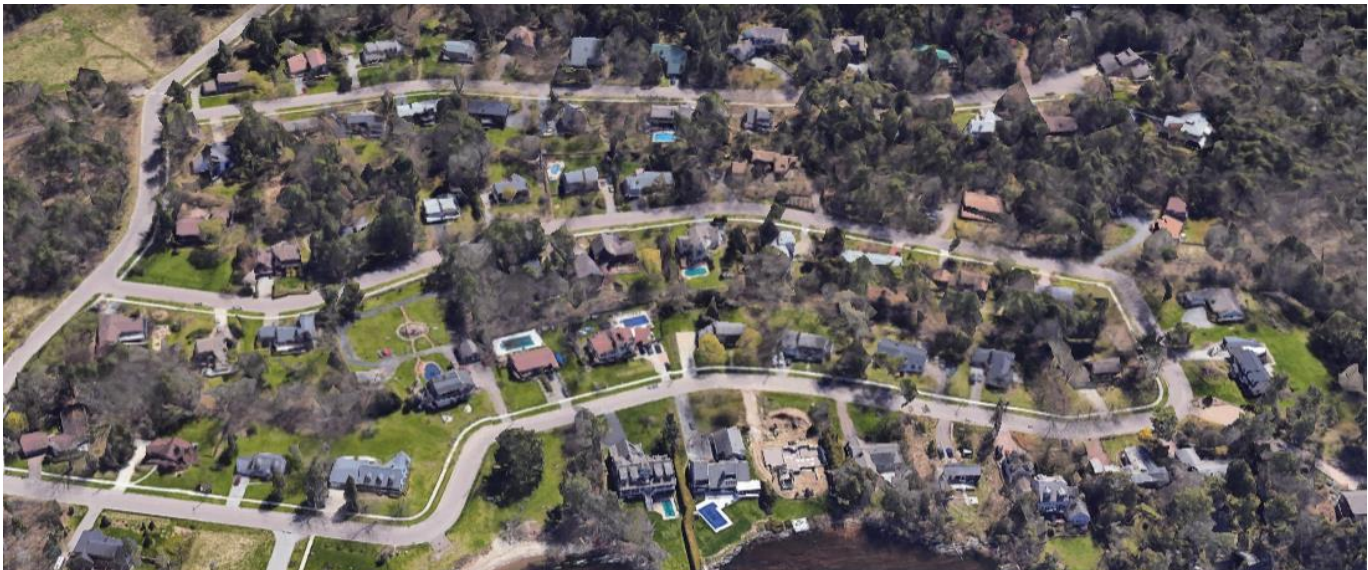
- 1
- 2
- 3
- 4
- 5 - 9
- 10+



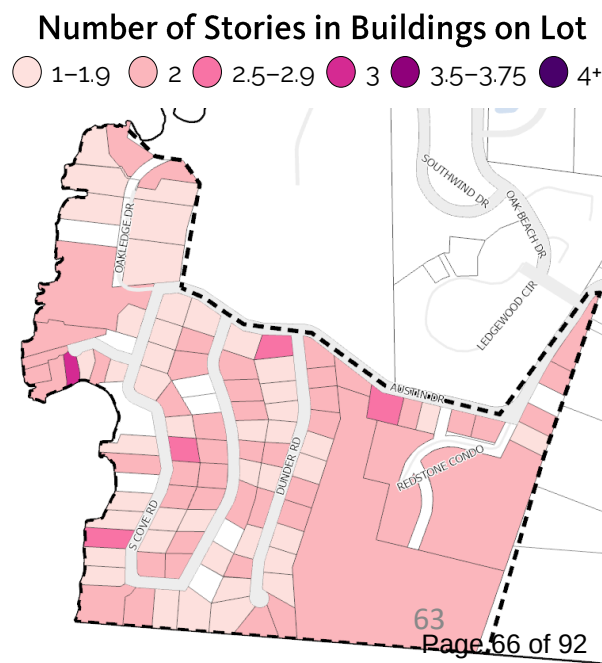
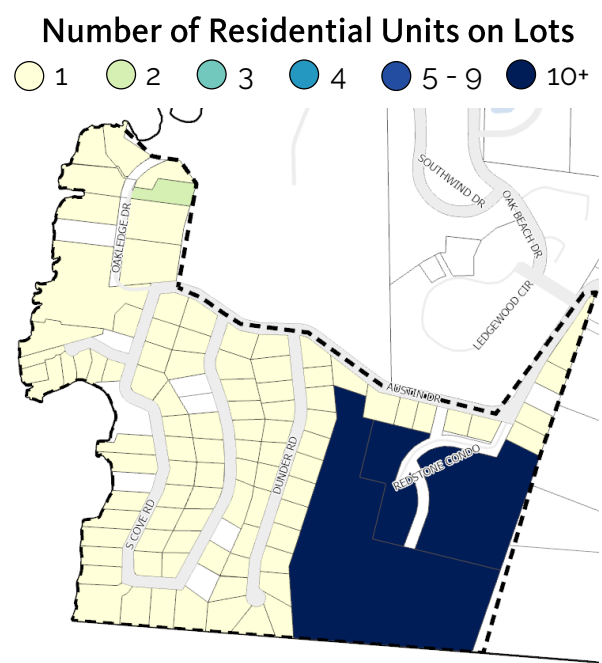
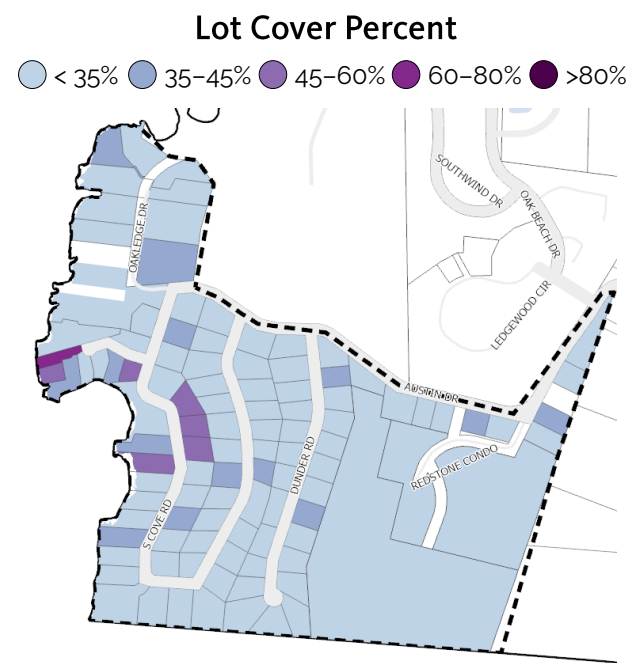
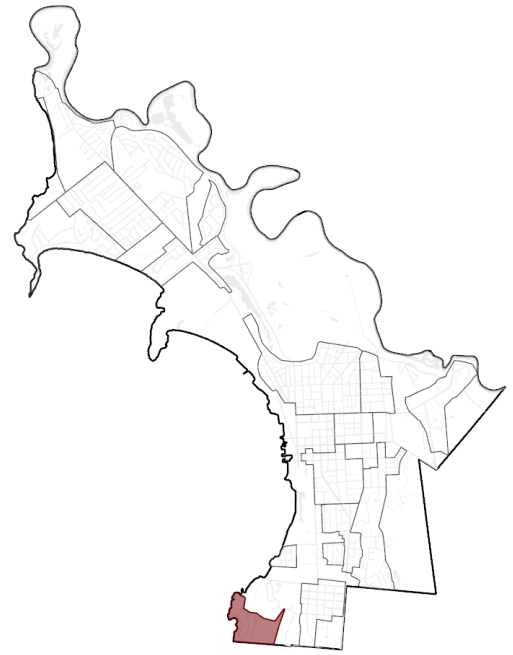
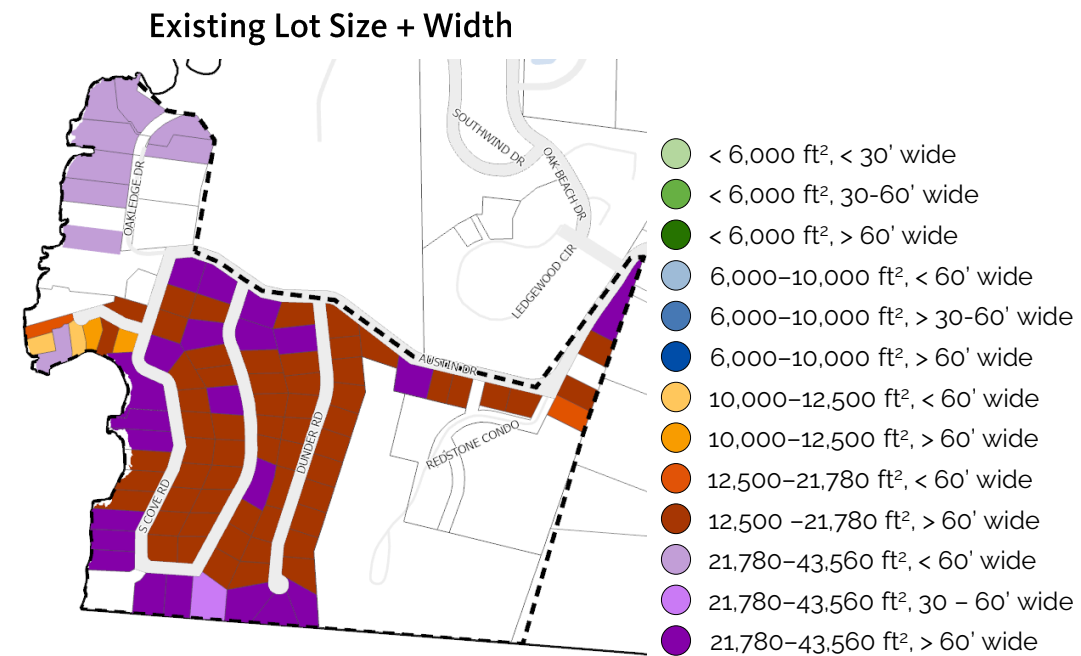
Number of Stories in Buildings on Lot

- 1-1.9
- 2
- 2.5–2.9
- 3
- 3.5–3.75
- 4+





Study Area: Oakledge

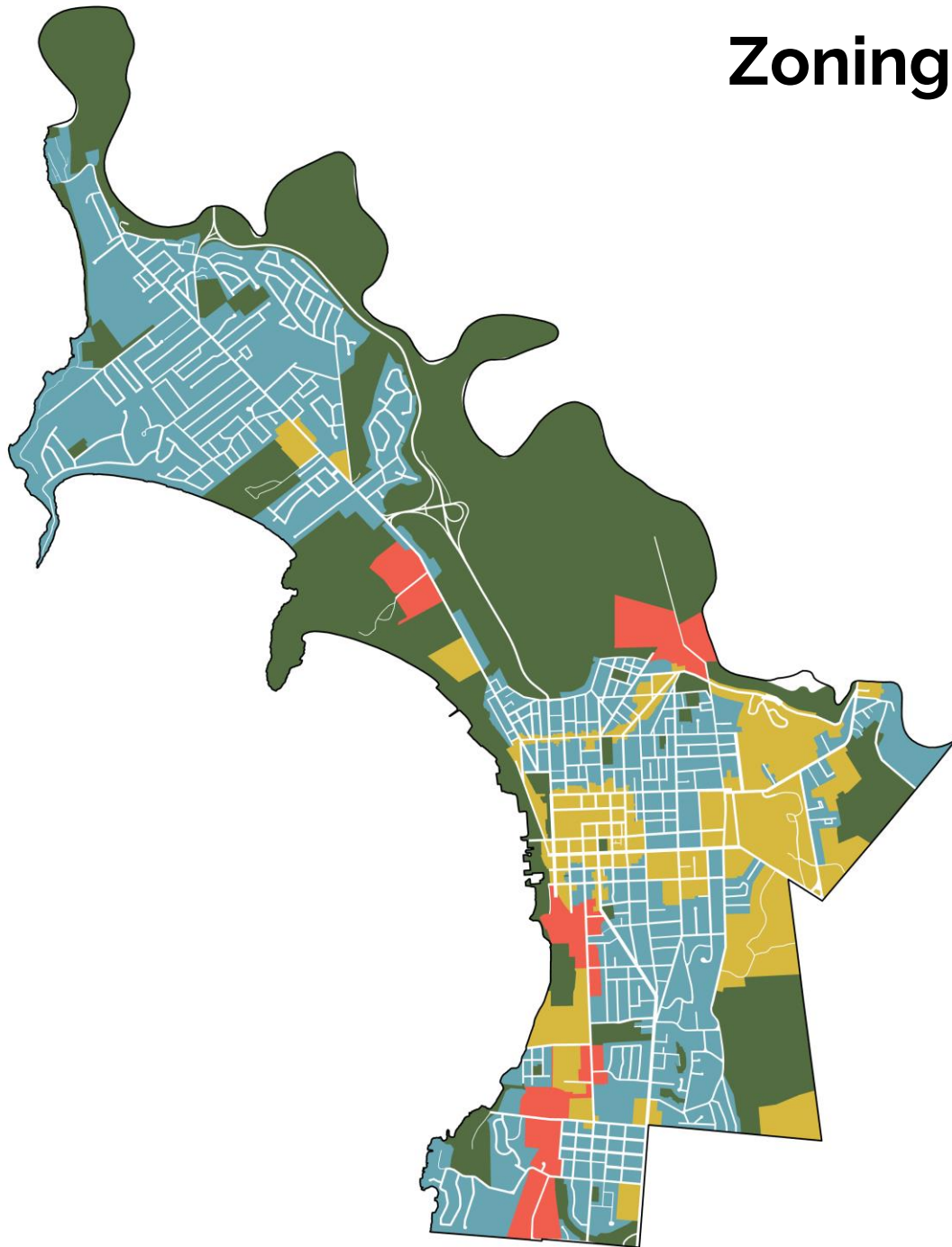


Appendix B: Additional Maps & Graphics

Zoning Districts citywide that allow housing

Neighborhood Code focus is on the Residential Zoning Districts, made up of the RL, RL-W, RM, RM-W, and RH zones.

Other zones allow residential uses with a wider variety of housing types, density, and intensity of development. Some also allow greater variety of mixed-use development.



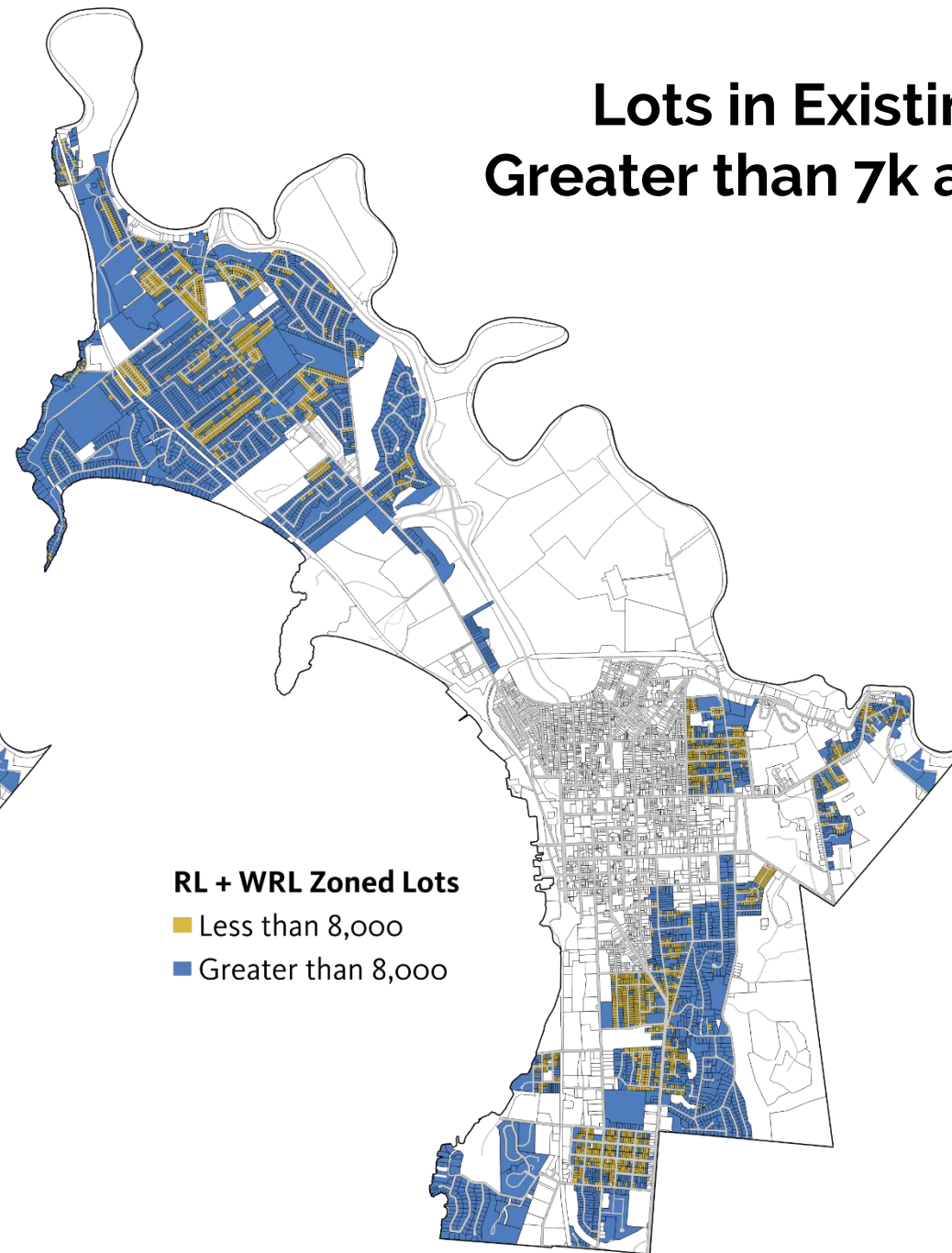
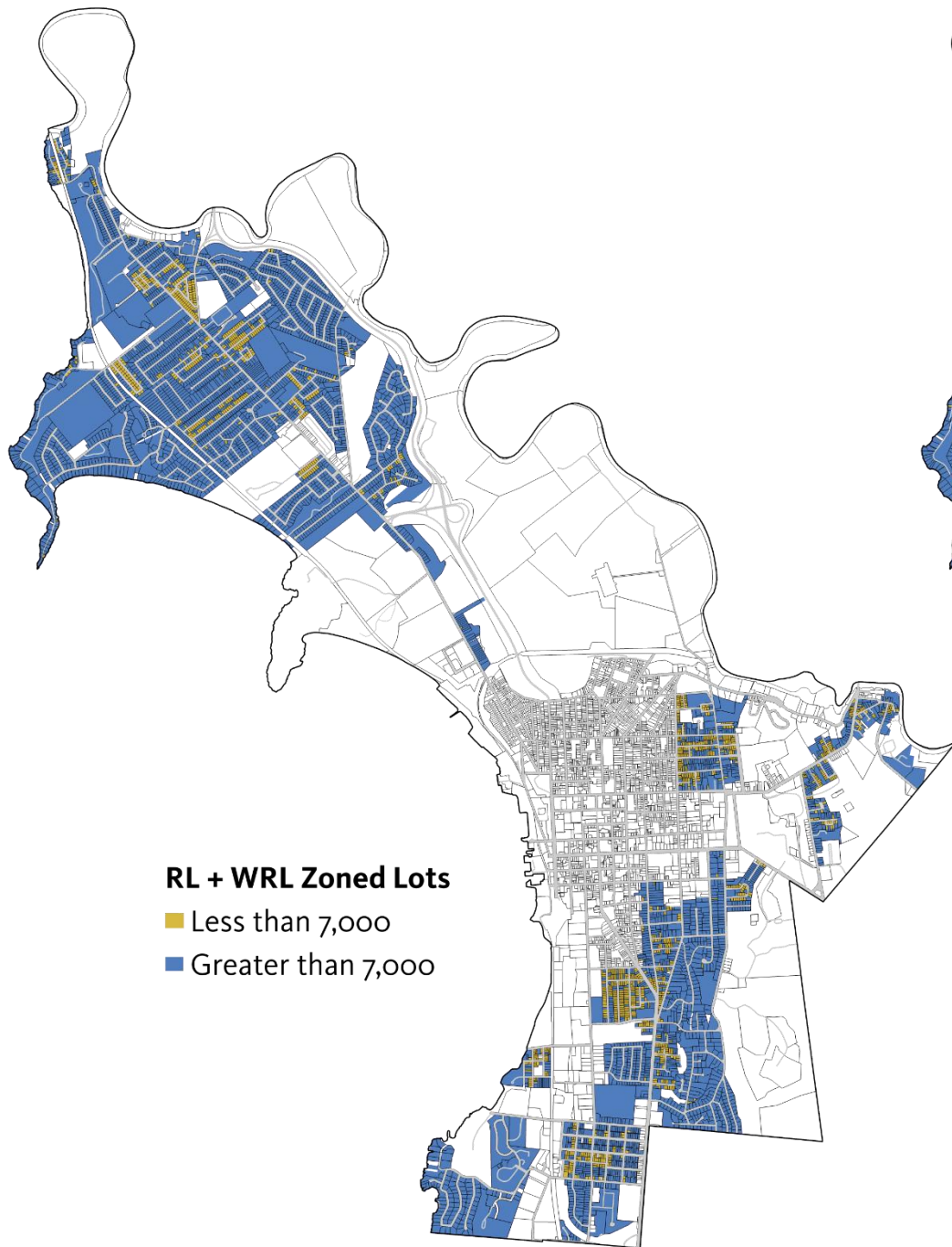
Districts allowing Housing

-  Areas in Existing Residential Districts
-  Other Mixed Use including housing

Districts that do not allowing Housing

-  Parks, Open Space, Agriculture
-  Other Commercial/Institutional

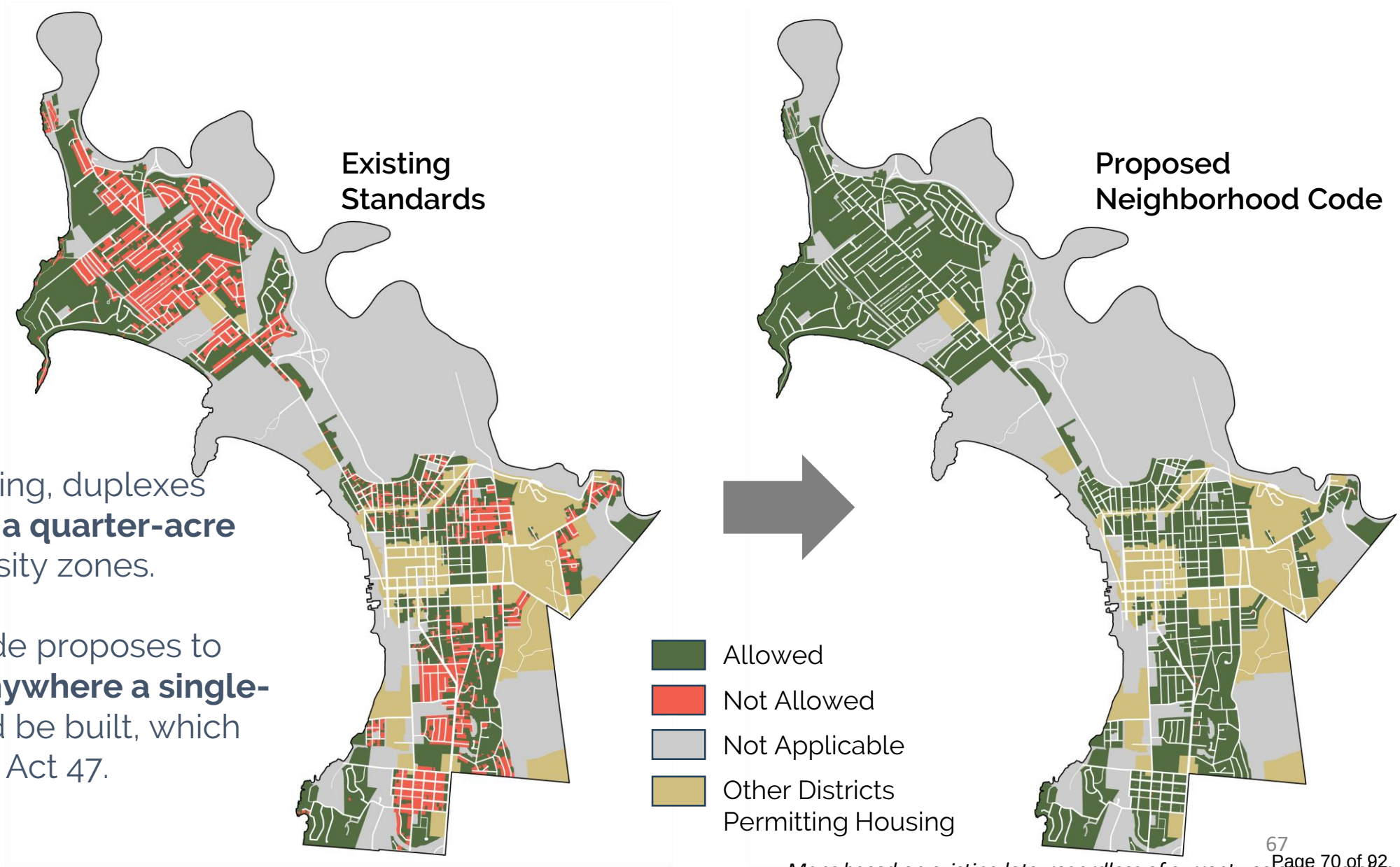
Lots in Existing RL Areas Greater than 7k and 8k sq.ft.



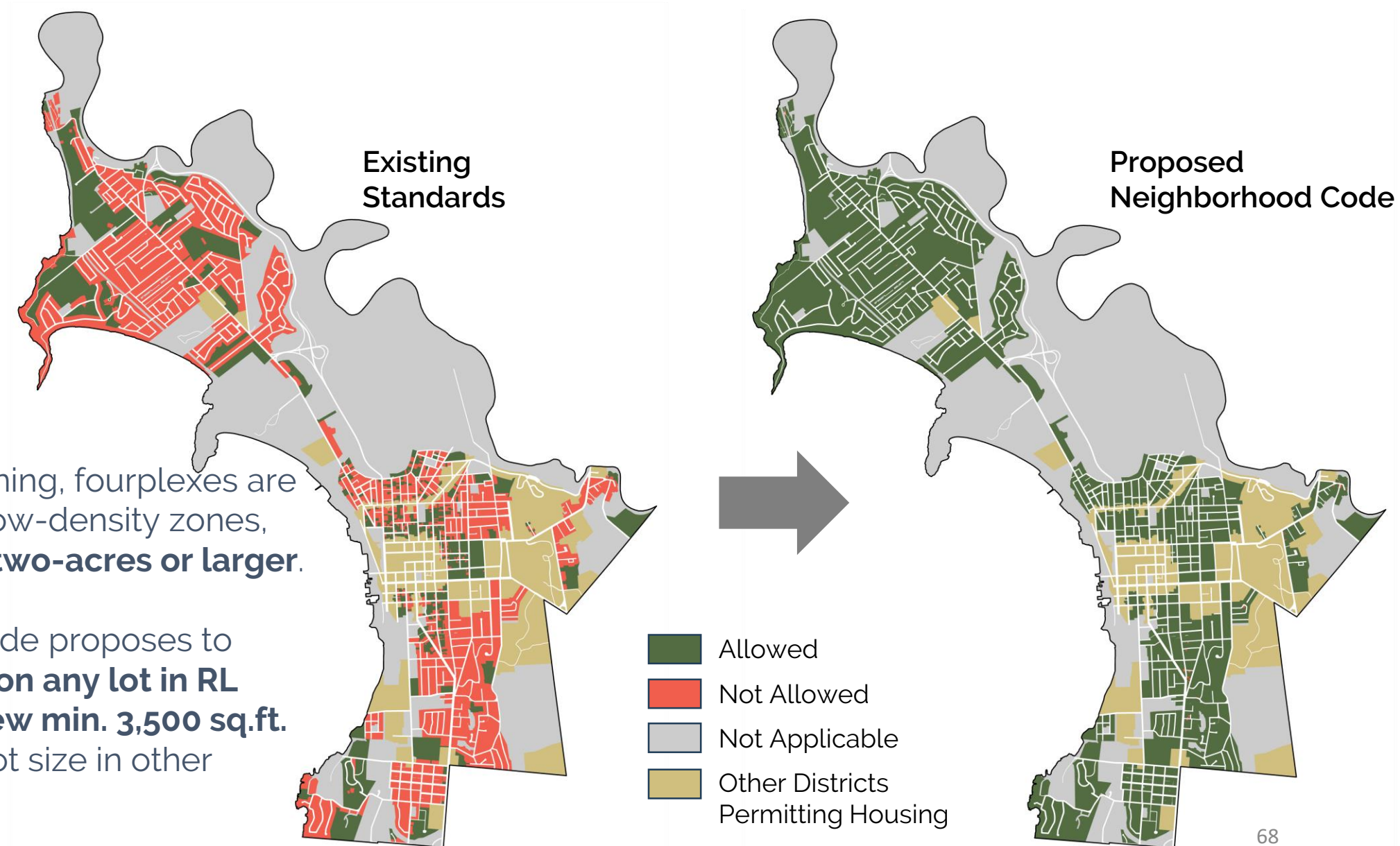
Existing lots large enough to host duplex vs. proposed

Under existing zoning, duplexes require **more than a quarter-acre lot** size in low-density zones.

Neighborhood Code proposes to **allow duplexes anywhere a single-family home** could be built, which also complies with Act 47.



Existing lots large enough to host fourplex vs. proposed



Guidance for Participating in a Virtual Planning Commission Meeting

As social distancing measures to preserve public health and safety continue to be required to prevent the spread of COVID-19, or are recommended as a standard practice, the Office of City Planning will be supporting the Planning Commission to conduct their meetings online via Zoom. Here is information about how to join a virtual meeting, and what to expect while participating.

General Guidance for Public Participation

Please remember that in this digital meeting environment, meetings are open to the public and anyone may be watching or listening even if you cannot see them. Meetings will be recorded, and both the recording and chat content of the meeting will be maintained as a public record.

Please ensure your display photo and screen name are professional, such as using your first and last name. Please test your audio and video prior to the start of a meeting, and familiarize yourself with how to join a meeting by your chosen method. And finally, please be patient with us. Technology doesn't always work as planned, and we are all learning how to hold a successful virtual meeting!

How to Join a Virtual Meeting

Zoom allows participation via either computer or telephone. Each agenda for a meeting that will be conducted virtually will include details about how to join via either of these options, including a web address, phone number, Meeting ID, and password.

If you participate via computer, you have the option of seeing Commissioner videos and any presentation materials that may be shared. If you use either a standard phone or cell phone to call in, you will only hear the audio portion of the meeting. If you join via a smartphone, you may have the option to download the Zoom app, which will enable you to see and hear the meeting.

How to Participate in a Virtual Meeting

During meetings, only Planning Commission members and limited staff members will be viewed on video. Members of the public attending a meeting will be muted, except when invited to speak during public forum or a public hearing. Whether members of the public can speak at other times during the meeting is the discretion of the Chair.

If you want to speak during public forum, please take the following steps to assist us in making this process run as smoothly as possible:

- Email staff at cdillard@burlingtonvt.gov by 5pm on the day before a meeting to indicate your interest in speaking. You do not need to provide your comments. Staff will enable your microphone as your name is called from a list of interested speakers.
- During a meeting, you can use the "Raise Hand" feature, or indicate in a chat message that you wish to speak during public forum. Staff will enable your microphone as your name is called.
- If you are interested in submitting your comments in writing instead of speaking during the meeting, you may do so by 5pm the day before a meeting, they will be forwarded to the Commissioners ahead of the meeting.

Burlington Planning Commission

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(802) 865-7195 (FAX)
(802) 865-7144 (TTY)

www.burlingtonvt.gov/pz

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

Burlington Planning Commission

Tuesday, October 17, 2023, 6:30 P.M.

Hybrid Meeting via Zoom and in Contois Auditorium

Draft Minutes

Members Present	A. Montroll, J. Randall, A. Friend, Y. Bradley, M. Gaughan
City Council Present	J. Shannon, Z. Hightower, B. Traverse
Staff Present	M. Tuttle, S. Morgan, C. Dillard
Guest Present	J. Palazzolo (consultant – Utile design, Boston)
Public Attendance	

I. Agenda

Call to Order	Time: 6:30pm
Agenda	No changes.

II. Neighborhood Code: Core Zoning Recommendations & Discussion

Name(s)	Comment
	2.1. Staff and consultant will provide a presentation on the proposed Neighborhood Code recommendation.
	2.2. Public Comment on Proposed Recommendations
	S. Bushor: • Doesn't like the idea of form-based code approach • Concerned about the 3,500 sq ft as the minimum lot requirement being too small. Thinks 4,000 would be better. 35-30 ft wide is too narrow • How to address not permeable space having more runoff. How to preserve trees • Small spaces for community gardens G. Dragoon: • Appreciates staff effort put towards the proposal • Likes: removal of the Waterfront housing district; removal of the density breaker limitations; up-zoning areas like North Ave • The story limit for 2.5 feels too low. RM & RH should have 4.5 & 5.5 story limit at minimum to meet housing demand • More density helps the environment, it prevents sprawl, it allows public transit to be economical, it allows for walkable & bikeable neighborhoods • Doesn't agree with Country Club comprising of 165 acres of prime real estate & paying \$274,000 in taxes B. Duncan:

The City of Burlington will not tolerate unlawful harassment or discrimination on the basis of political or religious affiliation, race, color, national origin, place of birth, ancestry, age, sex, sexual orientation, gender identity, marital status, veteran status, disability, HIV positive status, crime victim status or genetic information. The City is also committed to providing proper access to services, facilities, and employment opportunities. For accessibility information or alternative formats, please contact Human Resources Department at (802) 540-2505.

	• Are you proposing any changes to inclusionary zoning, and the bonuses that are allowed for that? And what that would do to height? • People need to be mindful of the building code implications that will tag on to the zoning changes E. Gould: • Height limit of 3.5 in RL should be maintained • Raising the heights to 4.5 in RM and 5.5 on the corridors • Would like mixed use in residential neighborhoods to be reconsidered as part of the proposal • Agrees with the positives noted earlier but setbacks, side & front should also be altered slightly J. Tiano: • Need to enable a Burlington of 100k people • Eliminate all setbacks, fire safety, ventilation, light • Eliminate lot sizes • Have a single residential zone – one residential neighborhood of mixed use (Urban Village) ○ 40% permeable lot surface requirement ○ 35 ft height limit • Add a transit-oriented development overlay (Urban Corridor) ○ 25% permeable surface requirement • Building footprint maximum as long as separate building are allowed to touch • Simplify permissive zoning to have 100k residents C. Larsson: • Agrees with the other speakers • Minimum lot sizes is redundant • Would like to hear from the committee members about what they think the purpose of the Neighborhood Code process T. Fryer: • Agrees with S. Bushor’s concern for the trees • Thinks the proposal is great but doesn’t go far enough • Agrees with density concern – would like to see more density • A Pattern Language book by Christopher Alexander • Lowering front setbacks could better define the public space and the negative space R. Thorne: • Be more bold and move quickly • Agrees with all the comments shared previously • Supports mixed use neighborhoods Carlos: • Echoes the previously shared comments • Supports mixed use neighborhoods
	2.3. Committee Discussion on Recommendations Z. Hightower: 1. What is the purpose of keeping the min lot sizes? M. Tuttle:

	• The committee will ultimately decide if that's the direction to go • Lot size is one of the tools to control the pattern of development Potential for subdivision in larger lot neighborhoods but would still maintain the fabric of open space to built area 2. Comparison between current height restrictions and proposed height? M. Tuttle: • Comparison not included in the proposal due to lack of city-wide data set about building height JP: • Looking at the current limit of 35 ft and what that number may want to be. Testing out if you introduce town homes and some of the higher intensity buildings, what those numbers need to be. • The half story (2.5) is not literally half of the floor below it. Either a setback rule or an angled roof combo of controlling the mass of the building at the top 3. For the proposed code, is the RL-RM limited by lot? M. Tuttle: • Right now there are no standards that regulate the overall footprint of buildings other than however much lot coverage you could achieve on a lot • Make more permissive and explicit having buildings up to a certain size, and simultaneously increase the lot coverage to make sure that people can build closer to that allowable footprint JP: • In the studies done – the lots in the intense parts of the city get so small that it doesn't make sense to have a building or a maximum footprint anymore because the setback rules & the lot coverage rules were defining the building more than any footprint rule would have 4. To conserve green spaces – the lot coverage should go up 5. In favor of removing minimum lot size A. Friend: 1. Is 45% lot coverage enough for RL? Should you increase that? JP: • Ran a number of tests - 3D models of various building of 1,800 ft & 1,100 ft to see what size lot is needed to accommodate that building at various coverage requirements resulting in 45% within the RL district 2. Agreed with forum idea of allowing more flexibility instead of establishing footprint sizes for the primary & secondary buildings J. Randall: 1. Is there an 8-12 unit building in the housing type slide of the presentation? M. Tuttle: • Didn't propose specific standards related to that building • The housing types displayed are meant as a guide particularly for consultants • In RH multi-unit buildings will be allowed. No suggestive limit on the number on units within a building itself. Same for the corridors – no limit of units in a building
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	2. Explain 4 unit max per building for RL and RM. Is that a density limit? M. Tuttle: • 4 unit max functions as a maximum. People can choose what to put on the lot within that footprint • Build a building on min lot size 3,500 ft with 1 unit = 12 unit/acre density, 2=24; 4=48. Using the median lot size of today 8,000 ft – 1=5 ½ units, 2=11 units JP: • Max size to make sure it accommodates different types of families 3. The possibility of differing to international building codes 4. Agrees with public comments on height allowances. Upper floor setbacks could be useful in neighborhood setting as opposed to corridor. Heights should be 1 story higher than proposed. 5. Mixed use neighborhoods could be compatible with this proposal. 6. To discuss the impact of economic stratification – to enable more opportunities for renting and home ownership. Create more walkable neighborhoods. 7. The implication of this proposal for the whole state. J. Shannon: 1. To think about Julia’s comment about no other community being able to meet this need of housing. 2. Building taller structure has a higher cost per unit than building lower structure. Increasing cost for building inclusionary units. Increasing the value of the lots for developers making harder to compete as homeowners. Where those affordable units would be built? JP: • When a building gets to a certain height, certain additional regulations are placed on top of it that increase the cost of the building but that’s at 70ft. That shouldn’t be a concern for the neighborhood code M. Tuttle: • Building materials have different costs. Higher building require concrete or steel which are more expensive • More straightforward in the proposal. Avoiding complexities that might cost more. • Inclusionary zoning is a bit out of scope of this code. Looking at how the bonuses and allowances would be translated. Expect a further discussion. 3. Minimum lot sizes. Has there been consideration for storm water management? Have a lot size that makes setbacks work and able to put a building on it. M. Gaughan: 1. What is the thinking around the annex? Explore an additional story on the corridors. 2. 20 ft setback on the corridor – is that from the center line? M. Tuttle: • There’s a couple neighborhoods across the city where we are looking for possible more opportunities. To be discussed at a later time.
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	• To get a modern building in the corridors we're looking at 50 ft height • 20 ft setback corridor is proposed as a maximum setback vs a setback minimum. Measured from the front of the property line JP: • We're continuing to test about 50 ft with a potential mixed use ground floor and 3 stories above. Top floor would be smaller in some form. 3. Rental registry in RM and what that overlay looks like in terms of how many units do we typically have in a building in RM with the existing rental stock. E. Malone: 1. Print the presentation or send it in advance to be reviewed by members. 2. To consider mix use not just in corridors, but how can we encourage that. Interested in hearing more. M. Tuttle: • Currently allow for neighborhood scale commercial like – laundromat, coffee shop, especially in historic building. Incentive to help preserve and reuse historic buildings. Allow the same use in corridors without any restrictions in historic. Up to the committee to express is mixed use should be used in other residential zones. S. Carpenter: 1. Having more height in the corridor. North part of the North Ave corridor different than the South. Similar situation with the Pine St corridor. M. Tuttle: • The proposed corridor zone to go up to the intersection of Plattsburg. To be discussed at a later meeting. B. Traverse: 1. How much further we can go in expanding housing opportunities. Diving into more details in future meetings - lot size, setbacks. 2. Promoting different unit sizes for different type families. Learn more about establishing a 4-unit maximum - what housing opportunities are potentially giving up if you were to build to the maximum size permitted by the proposal. How many units could theoretically be in there? How large would those units be if we keep it to 4 units? How large are those units as compared to others. 3. Height limitations in the corridor - allow at least 1 additional story 4. Understand how we define the proposal as to what would be the so-called corridors - Colchester Ave, Pearl St. Why on the North of Pearl St some of that would be RM as opposed to some of the institutional areas like on the West side of East Ave or North side of Colchester Ave. Whether or not there's opportunities there to classify that area as corridor. Areas not currently labels as a corridor but are currently neighborhood activity centers (Market 32, etc.) would continue to have the same standards apply? Looking at the proposed map - ward 5 - neighborhood of south meadow proposed to be classified as corridor - but not other existing condominium. M. Tuttle:
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Tuesday, October 17, 2023

	- Corridors – lots that are zoned either RL or RM today that have frontage on the major thoroughfares that were called out in our comprehensive plan. The mentioned neighborhood activity centers allow much greater intensity in terms of housing development than what these standards would allow. A. Montroll: - All the new regulations put restrictions on what's there already. Grandfathering has a lot of limits. Be more specific with pre-existing structures in place. - At the next meeting to go through specific items one at a time (lot sizes, building heights, etc.) - Going into the right direction. - How will the written proposal be? M. Tuttle: - Proposal to be introduced at the next meeting. No red line.
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III. Public Forum

N/A	
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IV. Minutes and Communications

Action: Approve the minutes and accept the communications		
Motion by: J. Randall	Second by: M. Guaghan	Approved: unanimous

V. Adjourn

Adjournment	Time: 8:34	
Motion: E. Malone	Second: J. Randall	Vote: unanimous

Burlington Planning Commission
Tuesday, October 24, 6:30 P.M.
Hybrid Meeting via Zoom and in the Bushor Conference Room
Draft Minutes

Members Present	A. Montroll, E. Malone, B. Baker, A. Friend, J. Randall
City Council Present	B. Traverse, S. Carpenter, Z. Hightower
Staff Present	M. Tuttle, S. Morgan
Public Attendance	S. Bushor, JP (consultant), E. Gould, J. Tiano, C. Larsen

I. Agenda

Call to Order	Time: 6:30pm
Agenda	No changes.

II. Committee Discussion: Neighborhood Code Core Recommendations

Name(s)	Comment
	A. Montroll: - changing the way that we decide how many units might be on a walk - people didn't have pushback at looking at units per building vs per acre - what should the rear yard setback be? - looking at the specific standards under this different way of looking at it - revisit the broader concepts - people are on board with taking a more dramatic look, being more transformational 2.1. Dimensional Standards: Lot Size, Lot Coverage, Setbacks S. Carpenter: - how does that work when you have a zero lot line building • if we decide to keep a minimum lot size, what Sarah's referring to in terms of 0 lot line buildings are things like townhouses where you actually own the land underneath the unit we would have to write standards that would enable those kinds of subdivisions even if they're smaller than our minimum lot size, which they would be in the case of a townhouse • as long as the lot had good access to public streets or you know, the utilities that were required. sometimes pushing people into a requirement to be part of an HOA instead of owning their land free and clear can be a barrier to people with certain types of financing like veterans loans - to combine lots • Future discussion topic A. Friend: - what is the purpose of the minimum lot size • as a tool for reinforcing patterns - agree with removing the minimum lot size requirement Z. Hightower: - in favor of removing the minimum lot size requirement

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J. Randall:

- agreeing with removing the minimum lot size requirement

E. Malone:

- if the city is recommending 3500 square feet, then is this like a trend for similar sized cities that are doing this kind of work or like where is that that 3500 from?

- Not an essential standard we have
- Proposing other tools to address some of the patterns discussed
- The 3500 really is working with Sarah and Megan to study what lots existed in the RL neighborhoods already. This is kind of on the this is among the smallest lots possible in RL of the existing lots in that in those neighborhoods

B. Baker:

- in favor of eliminating min lot size requirement

B. Traverse:

- is there any concern around how the setback requirements play a role in particularly small lot?

- The size of that postage stamp lot will still in some ways be directed by being able to meet lot coverage. Side setbacks will vary based on the width of the lot. As it gets narrower the setback requirement gets smaller.
- We would need to consider some exceptions to set back requirements for certain types of buildings or situations. One example is to allow townhouses to be right on a lot.

- should a part of this also be permitting folks to allow for a non-conforming use to potentially get bigger on those lines?

- To be discussed at a future meeting

- the largest hurdles that I've heard from folks in terms of being able to remodel their home to grow in place is the front yard set back

- We have not recommended a change to this, although we have talked about it a lot, a lot in our office, primarily because the front set back is one of the most observable characteristics that contribute to kind of a neighborhood's overall pattern. We don't want to implement a standard even at the RL and RM level that would cause a neighborhood to have, for example, a 20 foot front set back when a lot of the buildings are only 5 feet. From our perspective, we think that the current averaging method that allows you to meet your neighbor's set back ± 5 feet gives people flexibility but also helps contribute to that overall pattern of the neighborhood.

J. Shannon:

- eliminating the minimum lot size
- maintaining a pattern defined by the front yard set back

E. Malone:

- maintaining a side setback might be a good option for people to change up their heating systems

A. Montroll:

- the idea of the average of the front yard setback makes a lot of sense.
- in neighborhoods where there is a huge front yard setback, to have that moving closer to the street, give more flexibility
- a walkable city especially along the corridors

J. Shannon:

- the front setbacks do becomes less meaningful as those front yards get deeper
B. Baker:

- Important to discuss setbacks because: You need to have a walkway, you need to have a handicap entrance, you need to have steps to 1st floor entries.
- Preserve the step back the way we want it, but we get some limited exceptions that allow for development to occur

J. Randall:

- the consideration for exceptions for front setbacks is going to be important for the corridor district
- goal for the corridor spaces to be as pedestrian oriented as possible
 - The need to introduce a standard for setback for the corridors
 - Averaging would not work for these places
 - Proposing to just say that the front set back could be flexible between 5 and 20 feet
 - Future topic meeting – setback exceptions

Lot coverage

J. Randall:

- should we consider a slightly higher lot coverage percentage for RL given that we are thinking about eliminating the minimum lot size because now that we'll be allowing you know smaller lots to in that area that may actually like 45% may not be viable for those lots.

- To be looked into by the team

A. Montroll:

- the distinguish between coverage like a structure and coverage like a driveway or walkaway
 - The purpose of lot coverage requirements are really twofold: One is both the sort of visual appearance of intensity of buildings themselves. Two is storm water management and other environmental benefits
 - Exceptions to lot coverage

Z. Hightower:

- preserving green spaces on lot coverage

J. Randall:

- Colorado example dealing with this as 2 separate things: having a requirement % or max % for building coverage and having a max percentage for impervious surface
- is there opportunity to encourage more forms of pervious surfaces like a bonus
 - Construction zone issue to come back to later – how to help convert open space to more productive storm water management infrastructure

E. Malone:

- agree with Julia that I think that we should consider parking and limitations to what percentage could be like a pавable surface
 - The team will look into this

2.2. Building Massing Standards: Building Footprint & Height
Footprint

A. Montroll:

- Every lot is a different size. Especially when we're looking to say, you know, we want some units to be able to the units to be able to fit maybe 4 units in it that why would we artificially limit the size of a footprint on a larger lot when we don't have to? Or is there a reason that we do want to make that limit?

- The main outcome that we're hoping to help guide here is when we think about larger lots that are really deep instead of like wide and deep. Trying to help kind of guide new or infill buildings that would be in that context into an overall size that just helps reinforce that pattern.
- Enabling more flexibility with big lots through the PUD

Height

A. Montroll:

- If we are transitioning to using it in this way, like the 2 1/2 or 3 1/2 story building, is there an explanation in the code that will describe what that means?

- We have not arrived at whether we would scrap the like a numerical height limit Altogether
- It's a somewhat separate idea from number of stories versus height, although they definitely relate to each other. So as far as the slopes of hills and making sure basements don't count, we're not changing anything there
- A lot of this has to do with whether it's important to regulate the top like the way the mass of the building at the top is in, especially how it relates to RL. 2 ½ stories means diminished mass at the top – a sloped roof or a setback
- Basement story wouldn't count as a story

- is it possible to come up with similar diagrams on either side of the street with the slope?

- TBD. We could pull out some sections of our ordinance to talk about how you measure height because we do have some diagrams and ordinance that look at that right now.

S. Carpenter:

- allowing taller heights on the corridors

A. Friend:

- having a mix of shapes through a combination of step backs, Gable roofs, you know, slanted roofs, so you have a nice variety and it diminishes the massing at the top, so it decreases the overall effect of the increased height.

Z. Hightower:

- interested to see more of what's included in the half story

J. Randall:

- Whether underground parking counts as a story here or whether it just applies to habitable floors?

- We wouldn't count subsurface floors as a floor
- in favor of having the height provided to allow for flexibility
- to discuss the number of units in the number of buildings presented

B. Baker:

- is there a provision in the code that allows you to build on the same lot in addition or an additional building as high as an existing structure on the lot?

- Yes

2.3. Allowable Housing Types: Number of Units Per Building

A. Friend:

- What is the current limit in RM now?

- Depends on how big your lot is. The short answer is if you have a lot smaller than about 9000 square feet, 4 units would be your maximum anyways, which is the vast majority of lots in RM.

J. Randall:

- minimum dwelling unit size as a regulation
- is the 4 unit max per structure the best way to encourage unit variety?
 - Buildings can have up to 4 units and that units have to be a minimum of 350 square feet. That as sort of a minimum standard and then allowing up to 4 units in a building actually gives people the flexibility to decide how big is the building, how many units do they ultimately want to fit? How big are the units themselves?
 - If the committee feels like more flexibility is appropriate, you could remove that limit and just stick with the overall building footprint limits.

B. Traverse:

- Is there any certain proof or evidence to the fact that if you don't have these maximum unit limits that the tendency is just to go to the smallest common denominator and to pack as many units as possible into the four walls of a building?
- residential medium district closer to the university
 - the maximum footprint, the number of stories, the number of units and the minimum unit size are all working together to at once allow maybe that building that has a few has the four smaller units that are more student focused or studios or one bedrooms they easily fit within a smaller building that you place near the university or that same level. Those same standards allows for a building that's filled with four two-bedroom units that can accommodate for families with kids, or maybe even a three bedroom unit and three, one bedroom unit.
 - 6 units in RM
 - Going from 4 units in RL to maybe 6 units

2.4. Residential District Boundaries

A. Montroll:

- agrees with the proposed changes from RL to RM specific spots that are being recommended

E. Malone:

- why did the city choose not to bring that boundary all the way to S Prospect and these other streets to the east of it?
 - In that case, the recommendation for the change between RL and RM, basically between Union and Willard down there, again like the area we were just talking about in the old North End primarily has to do with looking at existing lots, existing lot coverage, existing number of units and feeling like that neighborhood felt like it already is RM in a lot of ways where as you as you move further E, they are not fully that level of intensity of development.
 - When you think about the area between Willard and Prospect, already with the changes to RL, you're already allowing more density in terms of number of units because those properties only allow one unit today, they would allow up to four. The main difference would be whether you want to allow up to 6 units or if you want to allow up to 60% lot coverage instead of sticking to 45.

	• A slightly higher lot coverage limit and up to 6 units instead of just up to 4 B. Traverse: - to take a closer/ in detail look at the different neighborhoods to analyze the different characteristics of each - moving the RM up to 6 units - a tiered approach - rather than aligning these corridors to the existing lots, just having sort of a certain standard footage away from these corridors that would consider you would consider to be a corridor zone which would allow opportunities for potentially lots to combine or to subdivide J. Randall: - agreeing with Ben, not just zeroing in on the names of the districts, but actually thinking about where they're placed. A. Friend: - what will changing zoning from RL to RM in these places like old North, End East or you know, Cliff neighborhood do? • It could be through a combination of interior conversion or maybe additions and if a lot is big enough, maybe adding a back lot building. • Roommate housing to be discussed at a future meeting • Focus less on to what extent it's about the homes and more about to what extent it's about the types of buildings on lots and how big those buildings can be that. 2.5. Other A. Montroll: - If there are any other of these type of topics that people want to talk about, let Megan know before the next meeting to get that on the agenda to talk about those specific ones. • Interactive map to get comments on specific locations
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III. Public Forum

Evan Gould	• Removing the minimum lot size limitations • Step down zoning along the corridors • College enrollment has fallen by 15% • Boosting height along the corridor
Colin Larsen	• The front set back discussion is good • Setting the height above 3 ½ require additional costs • If you do infill development in a backyard, does it need street access? Would you build a driveway? Width of the driveway is like 8 to 10 feet. Does that impact your ability to like actually put a unit back there? • Are we agnostic to lot coverage when it's defined as a building versus a parking lot, given that we want more buildings and less parking? Should we treat those two things as equivalent from a lot coverage perspective? ○ The 3 1/2 stories originally came as a recommendation specifically related to rear loaded townhouses. I don't think that the standards are the same in terms of the access requirements that we're talking about when you're building that type of

	building. Now that we're considering like multi-unit buildings, that's definitely a factor that we'll look into more.
Jak Tiano	• Removing setbacks altogether • Simpler rules that enable more things and not trying to just design these things around very specific outcomes that we're going for • Focusing on permeable service requirement instead of lock coverage

IV. Written Communications

Action: Accept the written communications		
Motion: A. Friend	Seconded by: E. Malone	Vote: Unanimous

V. Adjournment

Action: Adjourn	Time: 9:22	
Motion by: A. Friend	Second by: E. Malone	Vote: Unanimous

Neighborhood Code Joint Committee
Thursday, November 2, 2023, 6:30 P.M.
Hybrid Meeting via Zoom and in the Bushor Conference Room
Draft Minutes

Members Present	B. Baker, E. Malone, J. Randall, M. Gaughan, A. Friend
City Council Present	S, Carpenter, Z. Hightower,
Staff Present	M. Tuttle, S. Morgan, C. Dillard,
Public Attendance	

I. Agenda

Call to Order	Time: 6:30pm
Agenda	Add Item before Adjournment - update about an application to expand Burlington's neighborhood development area.

II. Public Forum

Name(s)	Comment
Gordon Dragoon	• Increase density - improve RL zoning • Go further with RH zoning – taller, denser and widespread • Up-zone the Country Club
Colin Larsen	• Areas around UVM & the Medical center continue to be RL ○ Main focus on walkability & car free living in those areas • Flag lots - if you don't subdivide a lot, so it's a single lot with two multifamily developments on it and a flag lot orientation, would it be feasible to allow someone to not have to build a driveway to the rear building if they didn't want to? Or is that like a fire safety issue?
Sharon Bushor	• housing should be for people that live in Burlington and that we shouldn't be providing housing for students that come to UVM • UVM has an obligation to provide more housing on campus and they've created some of the housing crisis that we're in • To see differences/different types of visuals for the proposed differences between RL and RM • Keeping the green spaces in Burlington • Communicating to the residents the proposed changes – getting feedback on those proposed changes
Evan Gould	• UVM is the densest job center • Suburban sprawly development

III. Committee Discussion: Neighborhood Code Core Recommendations

3.1 Follow up on Core Dimensional Standards
Lot Coverage
B. Baker:
• Important to talk about structure. Sets up setbacks and exceptions to setbacks that allow you to function like ramp or the steps to face 4 entries

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- Design standards have lots of requirements in them

S. Carpenter:

- Who sets the design standards?
 - Set in an article to be discussed. An entire section of the ordinance that talks about, I'll call it, more like characteristics of developments and their compatibility with the areas around them.

Setbacks:

A. Friend:

- How does that work with the idea where people are going to want to build secondary structures that may fall within the side or rear setback?
 - One of the things that is worth discussing for this committee is that there are pretty small lot sizes that would enable both a primary and a secondary building to fit on the lot to meet the setbacks, to meet the lot coverage limits. And we think that those things all will work together in those situations. There's going to be a size at which you just can't meet setbacks and have two free standing buildings on a lot and we were not trying to control for that situation.

S. Carpenter:

- How will going forward the potential conversion or subdivision of an ADU. You have an ADU now, you built it, now you have two buildings on a lot and we have some new zoning. Will there be a way to accommodate really sort of carving that off into a new lot?
 - Set the flag lot, the flag lot building standards identical to the ADU building standards.
 - If you did a PUD then you only have to respect the setbacks around the outside, not between them.
- Is 20 ft straight across too rigid in the sense if you wanted to create a differentiation, if you have a really long building.
 - For these corridors, we're also talking about buildings that would be limited to a maximum of like basically like you know 50 to 70 feet wide.

M. Gaughan:

- Driveway encroachment – have the zoning code reflect what's on the ground now
- 5 ft setback on the corridor zone
- Maximum setback

Z. Higtower:

- Agrees with Michael
- Removing the minimum lot size
- Keeping the percentage lot coverage the same

M. Tuttle:

- Really deep lots with buildings that are set really far back, if this is something the committee would like to consider, we think it could be reasonable to say something like you still average your front set back, but in no case are you required to set it back more than 25 feet. That would provide some flexibility for some of these lots where buildings are set back, you know

40 or more feet today where you could reasonably consider some sort of expansion in front of that existing building.

- Large lot overlay I believe requires a 75 foot front set back, is that right?

B. Traverse:

- Support the proposal laid it out that would allow for some buildings in those areas that have buildings that are further closer to the street.
- In practice where you are averaging front setbacks is, is that a hard number or is there any sort of, you know, give or take a couple feet, give or take 5 feet that gives some folks some wiggle room if they're sort of faced with a with a hard number?
 - The average ± 5 feet
 - The setback amendment was approved last week. Simply the averaging takes the two lots on either side and averages those and the amendment allows to remove one of those properties. If there is an outlier property that's really skewing the average in one way or the other, that can be removed and then you on top of that, you get the ± 5 feet.
 - You're not required to set back more than 25 feet is one way you could address these really deep lot situations.

M. Gaughan:

- Since we'd be allowing 2 structures on one un-subdivided lot, what's the requirement for the distance between those two buildings since it's not a lot, you wouldn't have the setback requirements that we're talking about?
 - Proposing 15 feet as a minimum set back between the buildings.

M. Tuttle:

- Outside of the corridors, if we're saying front setbacks in other places within the residential districts would be required to average their neighboring properties. That's their baseline set back.
- They can add or subtract 5 feet from that.
- But we're saying in terms of like say that average number was 50 feet. We're saying that we would not make you go all the way back to 50 feet. You could go back to 25 or any point beyond that as the front setback for your building.

M. Gaughan:

- In favor of 4 stories in the corridors
- Naming what phase 2 is going to look like. To be revisited at a later time

J. Randall:

- Agrees with Michael
- Make the 4th story a partial story
- Making sure people understand the scale of buildings discussed in these meetings
- Wanting to discuss what this could look like for Saint Paul St and Colchester Ave

M. Tuttle:

- Having a full 4th story or taller brings in the question about elevators and 2nd stairwells

- In small building as you go taller it starts eating on the internal space

B. Traverse:

- Agrees with Michael to have at least 4 floors or even higher

B. Baker:

- Spreading infrastructure costs like a sprinkler system over more units makes it more likely that the development that the building will pencil out
- It could be triggering a type of construction that requires steel at five stories high. A possibility to lower the cost is to build a steel podium, non-combustible and 4 stories above it of wood construction

E. Malone:

- Is this big enough to allow for creative development?

A. Friend:

- Talking about missing middle housing and expanding opportunities on the corridors

3.2 Residential District Boundaries

S. Carpenter:

- There are certain parcels I would like us to look at and hopefully sooner than later because they're actually reasonably more likely to get developed than some of the smaller ones.

B. Traverse:

- My understanding is that the areas that have been flagged as corridors are just those areas that are currently RL along these identified corridors. And what that means is that as we move around here, I think that there's some areas that are currently zoned as RM that have not ended up in a corridor even though we may agree that it's it is a corridor.
- The Champlain Parkway will make the south end of Pine Street a cul-de-sac, which is then out of alignment with other sort of major thoroughfares that have been identified here
- to follow up with GMT as to whether they know how the Parkway is going to change existing bus routes and whether or not it's going to come down to Home Ave or go down Flynn Ave (bus #5)

M. Tuttle:

- Team will provide an updated map that treats anything that's RL or RM as a corridor
- To discuss what level of commercial use to allow in those areas

3.3 Other

IV. **Expanding Burlington's neighborhood development area**

C. Dillard:

- The state has a designation program, Neighborhood Development Areas that extends 1/2 mile beyond a designated downtown. We have our designated downtown and we have an existing neighborhood development area or NDA that today extends in the north to Cambrian rise 2.5 S

half mob beyond downtown, the NDA, the state accrues different benefits to NDA's. Qualified mixed income projects are exempt from Act 250 regulations most significantly. There's a number of other benefits that are outlined in the memo that I sent you earlier. In the years since the city is at an NDA designated, it has facilitated truly significant amounts of housing development. The application that we have submitted to the state is to expand our NDA to include the recently rezoned South End Innovation District.

- We go to the downtown development boards meeting on November 27th where we will get a decision. And at that point, yes, in a development in the South and innovation district that is a mixed income project will be exempt from activity regulations.

V. Adjournment

Adjournment		Time: 8:45	
Motion: A. Friend	Second: E. Malone	Vote: unanimous	

November 19, 2023

Sarah Morgan, Ben Traverse, Joan Shannon
Planning Commission and City Council Ordinance Committee

Re: Proposed Neighborhood Code Standards – Core Recommendations

Dear Sarah, Ben, and Joan,

My name is Gabe Arnold, I live with my family on Pine Street south of Flynn Ave. in a single-family home. I would like to provide comments to the proposed BTV Neighborhood Code Core Recommendations. Overall, I commend the Joint Planning Commission and City Council Ordinance Committee for your efforts to address the housing problem and the bold proposals you are putting forward for change. I think there is a lot we can do but I think it's important that zoning changes are contextually sensitive to the neighborhoods they are proposed in. In this regard, I believe the proposal to make Pine St. south of Flynn Avenue a Residential Corridor is vastly out of context, scale, and character for the street and neighborhood it is proposed.

Currently Pine Street between Flynn and Home Avenue is almost entirely a single-family home street. There are 23 single family homes, 3 small duplexes, and 2 small quadplexes. The lot coverages in this area are very low. There are no mixed-use buildings and no businesses. The buildings are small scale, with the vast majority 2 story or less. Under the definitions put forward in the plan, our street would currently meet the lowest category: Residential Lower Intensity or RL. For reasons we do not understand, the city has proposed to change Pine Street to the highest category of intensity: Residential Corridor or RC. Large multi-unit structures with high lot coverage, up to 3-1/2 stories, and little setback would be allowed. Commercial uses, businesses, and mixed-use buildings would be allowed. This is a giant leap from the current lowest intensity residential to the highest allowed intensity and would fundamentally change the scale and character of our street and neighborhood.

I would also like to comment on the current and future use of Pine Street. We have noted that Residential Corridors as defined in the recommended zoning changes are intended along major multimodal transportation corridors. Pine Street south of Flynn is not intended or planned to be a major multimodal transportation corridor. It has unfortunately served as a commuter corridor for many years as we have awaited the Champlain Parkway to be built. The resulting traffic has divided our neighborhood to the east and west of Pine and brought commercial traffic to our neighborhood streets. The Parkway is now under construction and will remove 40% of the traffic from Pine Street south of Flynn and install a dead-end where Pine Street meets the Champlain Parkway. Once the Parkway is built, we have been told by the DPW that traffic calming features can be implemented to return Pine Street south of Flynn to the residential, low-traffic street it is intended to be. We envision potential traffic calming features at the intersections of Morse and Pine, and Ferguson and Pine, and a 4-way stop at Lyman and Pine. It is the Champlain Parkway that will be the major multimodal transportation corridor and that should be designated as a Residential Corridor, not Pine Street south of Flynn. However, the Champlain Parkway is not shown on the map or addressed in the Neighborhood Code Core Recommendations.

I want to emphasize that I support what you are doing, and I think there are incremental changes that can be made in our neighborhood to support more housing. However, the specific proposal to change Pine Street south of Flynn Avenue to a Residential Corridor with businesses and large residential structures goes too far and will be detrimental to our street and neighborhood. I ask the city to reject this proposal and consider more contextually sensitive changes for our neighborhood. I also ask the city to develop a plan that includes the Champlain Parkway.

Sincerely,

Gabe Arnold

974 Pine St.

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