



MEMO

Date: October 1, 2013
To: Planning Commission, Conservation Board, Parks Commission
From: Jesse Bridges, Director Parks and Recreation
Re: Proposed Amendment to Zoning Ordinance ZA 14-2 CO

History

In 2008 a new zoning district was established called RCO – R/G (Recreation Greenspace), this included all the City Parks. Previously parks were simple treated as another use within the respective zoning where they were found and regulated based on those development standards. City Hall Park and Waterfront Park had an allowable coverage of 100% while Leddy Park and Oakledge would have been at 35%.

The old standard for lot coverage (5%) in the RCO (C and A) was simply carried forward to this new district and applied in the same way. So while Ethan Allen Park (RCO –C, conservation) and the Intervale (RCO-A, agriculture) make sense at 5% the existing conditions on the ground were such that most of the parks were immediately thrust into non-conforming status.

Purpose

This proposed amendment to the Comprehensive Development Ordinance is to align our ordinance with current and future use. Additionally this revision calls out the existing management practices and important stormwater integration of the Parks (both conservation and recreation space) in the City Wide system. It will allow for the Parks Department to continue to improve and maintain long time existing infrastructure while developing the future assets determined by the community. Parks impervious includes all courts, playgrounds, paths and other park amenities including limited parking and structures. Currently there is no allocation for use of pervious or Low Impact Design stormwater technique and Parks pays a significant stormwater bill for this entire impervious infrastructure annually. The intention of this adoption is not to wholesale increase the impervious surfaces in the parks but to align the ordinance with existing conditions (see Attachment A).

Process

Parks and Recreation along with Planning and Zoning initiated the conversation this spring at their respective commissions in order to alert them of the issue. Parks Commission approved the draft ordinance for the Planning Commission to discuss further. Planning Commission discussed the issue and warned a public hearing on the issue September 10 that continued September 24 and October 8. Upon receiving feedback from the multiple public forums as well as discussions across the City including a NNE meeting, Ward 2/3 NPA and various email/phone dialogue the draft was revised to reflect individual park lot coverage. The City's Stormwater Administrator gave consent to a revised draft after the September 24th public hearing. That revision is being distributed to the Conservation Board, Parks Commission and Planning Commission for a final review before Planning moves the issue to the Council.

Action

The Department of Parks and Recreation is asking for approval of the draft revised ordinance (Attachment B) to be carried forward for further public input and dialogue through the City Council and the Ordinance Committee.

Attachment A

Existing Lot Coverage and Proposed Zoning Table

Table 4.4.6.2 – City Park Lot Coverage Maximum Standards

<u>Parks</u>	Existing Lot Coverage	Proposed Maximum Lot Coverage
Appletree	24%	20%
Baird	16%	15%
Battery Park and Extension	16%	15%
Calahan	13%	15%
Champlain Street	5%	15%
City Hall Park	24%	30%
Lakeside	14%	20%
Leddy	14%	15%
North Beach and Campground	15%	15%
Perkins Pier ¹	66%	70%
Pomeroy	38%	30%
Oakledge	10%	15%
Roosevelt	27%	30%
Schmanska	16%	15%
Smalley	8%	15%
Starr Farm	4%	15%
Waterfront	19%	25%
¹ Perkins Pier is a Marina Facility		

Attachment B

Burlington Comprehensive Development Ordinance

PROPOSED ZA-13-XX – RCO-Recreation/Greenspace

As proposed by staff

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

Sec. 4.4.6 Recreation, Conservation and Open Space Districts

1. Purpose – unchanged

(b) Dimensional Standards and Density

The density and intensity of development, dimensions of building lots, the heights of buildings and their setbacks from property boundary lines, and the limits on lot coverage shall be governed by the following standards:

Table 4.4.6 -1 Dimensional Standards and Density

District	Lot Coverage ¹	Setbacks ¹			Height ¹
		Front	Side ²	Rear ²	
RCO-A	5%	15'	10%	25%	35'
RCO-RG	<u>%³</u>	15'	10%	25%	35'
RCO-C	5%	15'	10%	25%	25'

1. See also exceptions to lot coverage, setbacks and maximum height in **Article 5**.

2. Percentages figure refers to either a percentage of lot width, 10% in the case of side yard setbacks, or lot depth of 25% in the case of rear yard setbacks.

3. City Parks have specific lot coverage maximums based on use and location. See chart of coverage's below.

Table 4.4.6.2 – City Park Lot Coverage Maximum Standards

<u>Park</u>	<u>Lot Coverage</u>
Appletree	20%
Baird	15%

Battery Park and Extension	15%
Calahan	15%
Champlain Street	15%
City Hall Park	30%
Lakeside	20%
Leddy	15%
North Beach and Campground	15%
Perkins Pier ¹	70%
Pomeroy	30%
Oakledge	15%
Roosevelt	30%
Schmanska	15%
Smalley	15%
Starr Farm	15%
Waterfront	25%
¹ Perkins Pier is a Marina Facility	

(c) Permitted and Conditional Uses- *unchanged*

(d) District Specific Regulations

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

1. Lot Coverage Exemption for Agricultural Structures.

The maximum allowable coverage may be increased to ten percent (10%) in the RCO-Agricultural District for agricultural structures subject to approval by the DRB.

2. Exemptions for Tree removal and Turf Maintenance in City Parks.

Regular tree maintenance and removal not otherwise associated with land clearing for new development or site improvements, and regular turf maintenance including re-grading and reseeding shall be exempt from the requirement to obtain a zoning permit.

3. Exemptions for low impact design (LID) stormwater management techniques
Due to the unique nature and critical importance of City Parks in the City's overall green infrastructure LID stormwater management techniques (such as pervious pavement and asphalt, green roofs and rain gardens etc...) are credited against lot coverage upon approval of the City's Stormwater Administrator.