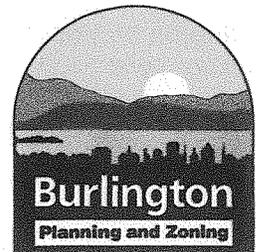


Burlington Planning Commission

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Burlington Planning Commission

REGULAR MEETING

Tuesday, June 11, 2013 - 6:30 P.M.

Conference Room #12, Ground Floor, City Hall, 149 Church Street

AGENDA

Note: times given are
approximate unless
otherwise noted.

I. Agenda

II. Public Forum - Time Certain: 6:35 pm

The Public Forum is an opportunity for any member of the public to address the Commission on any relevant issue.

III. Report of the Chair (5 min) – Yves Bradley, Chair

IV. Report of the Director (5 min) – David E. White, Director

V. Public Hearing: ZA-13-12 Historic Building Materials (20 min) – Time Certain 7:00pm

The Commission will hold a public hearing for this proposed amendment to the Comprehensive Development Ordinance:

1. **ZA-13-12 – Historic Building Materials** - The proposed amendment to the Burlington CDO is to provide more flexibility for the replacement of materials on historic properties.

VI. Proposed Amendment (15 min)

The Commission will discuss the proposed amendment to the Comprehensive Development Ordinance:

1. **ZA-13-03– Residential Parking Standards** This proposed amendment to the Comprehensive Development Ordinance changes parking requirement calculations for residential uses in the city, basing the calculation on the number of bedrooms instead of units. The change is intended to increase the affordability of housing units by reducing the required parking requirements in the downtown and shared parking districts, as well as incentivizing the creation of smaller units. (Modify Section 8.1.4 and Table 8.1.8-1)

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

VII. Form-Based Code Discussion (30 min)

The Commission will begin discussion of form-based codes, what they are, how they work.

VIII. Committee Reports (5 min)

IX. Commissioner Items (5 min)

X. Minutes/Communications

The Commission will review minutes from the April 23 and May 14, 2013 meetings.

XI. Adjourn (8:00 p.m.)

Burlington Comprehensive Development Ordinance

PROPOSED ZA-13-12 – Historic Building Materials

As warned by the Planning Commission for public hearing on June 11, 2013

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

Purpose: This proposed amendment to the Comprehensive Development Ordinance is to provide more flexibility for the replacement of materials on historic properties.

Sec. 5.4.8 Historic Buildings and Sites

(a) Applicability (as written)

(b) Standards and Guidelines:

The following development standards, following the Secretary of the Interior's Standards for the Treatment of Historic Properties, shall be used in the review of all applications involving historic buildings and sites subject to the provisions of this section and the requirements for Design Review in Art 3, Part 4. The Secretary of the Interior's Standards are basic principles created to help preserve the distinctive character of a historic building and its site. They are a series of concepts about maintaining, repairing and replacing historic features, as well as designing new additions or making alterations. These standards are intended to be applied in a reasonable manner, taking into consideration economic and technical feasibility.

1. A property will be used as it was historically or be given a new use that requires minimal change to its distinctive materials, features, spaces, and spatial relationships.
2. The historic character of a property will be retained and preserved. The removal of distinctive materials or alteration of features, spaces, and spatial relationships that characterize a property will be avoided.
3. Each property will be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or elements from other historic properties, will not be undertaken.
4. Changes to a property that have acquired historic significance in their own right will be retained and preserved.
5. Distinctive materials, features, finishes, and construction techniques or examples of craftsmanship that characterize a property will be preserved.
6. Where ~~D~~deteriorated historic features will be repaired rather than are replaced. ~~Where the severity of deterioration requires replacement of a distinctive feature, the new feature will match the old in design, color, texture, and size, where possible, materials recognizing that new technologies may provide an appropriate alternative in order to adapt to ever changing conditions and provide for an efficient contemporary use. Replacement of missing features will be substantiated by documentary and physical evidence.~~

Where materials are to be replaced, the replacement material shall be visually compatible with the original material. Visual compatibility shall include, but is not limited to matching design, texture, and size, and having a similar reveal of the original material. The replacement material shall also be durable.

7. Chemical or physical treatments, if appropriate, will be undertaken using the gentlest means possible. Treatments that cause damage to historic materials will not be used.

~~8.7.~~ Archeological resources will be protected and preserved in place. If such resources must be disturbed, mitigation measures will be undertaken.

~~9.8.~~ New additions, exterior alterations, or related new construction will minimize impacts on not destroy historic materials, features, and while maintaining the size, scale and proportional spatial relationships that characterize the property. ~~The new work shall be differentiated from the old and will be compatible with the historic materials, features, size, scale, and proportion, and massing to protect the integrity of the property and its environment.~~

10. New additions and adjacent or related new construction will be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

(c) and (d) As written.

Sec. 13.1.2 Definitions

Character defining element or feature: A prominent or distinctive aspect, quality, or characteristic of a cultural resource that contributes significantly to its physical character.

Economic feasibility: The viability of a project based upon expenses incurred to meet the standards of Sec. 5.4.8(b), weighing whether the costs are greater than the benefits. Economic feasibility is not the same as *economic optimization*, which assumes maximum net benefit among a range of choices, with minimal expenditure.

Technical feasibility: An assessment of the probability, possibility or potential that a product or design can be made.

Burlington Comprehensive Development Ordinance

PROPOSED: ZA-13-03-Residential Parking Standards

As warned by the Planning Commission for public hearing on January 22, 2013.

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

Purpose: Change parking requirements calculations for residential uses, basing the calculation on the number of bedrooms instead of units. The change is intended to increase the affordability of housing units by reducing the required parking requirements in downtown and the shared parking districts, as well as incentivizing the creation of smaller units.

Sec. 8.1.3 Parking Districts

The demand for parking is highly dependent on the context within which a given use or structure is located. Factors such as proximity to other related uses, availability of public transportation, the density of land uses, and the ability to share parking with nearby uses are all factors which influence the demand for individual and dedicated off-site parking. For the purposes of this Article, the following three (3) Parking Districts as illustrated in Map 8.1.3-1 are hereby created:

(a) Neighborhood Parking District:

This parking district establishes the baseline of parking requirements throughout the city where the demand for offsite parking is largely dependent on the needs and characteristics of an individual site or land use.

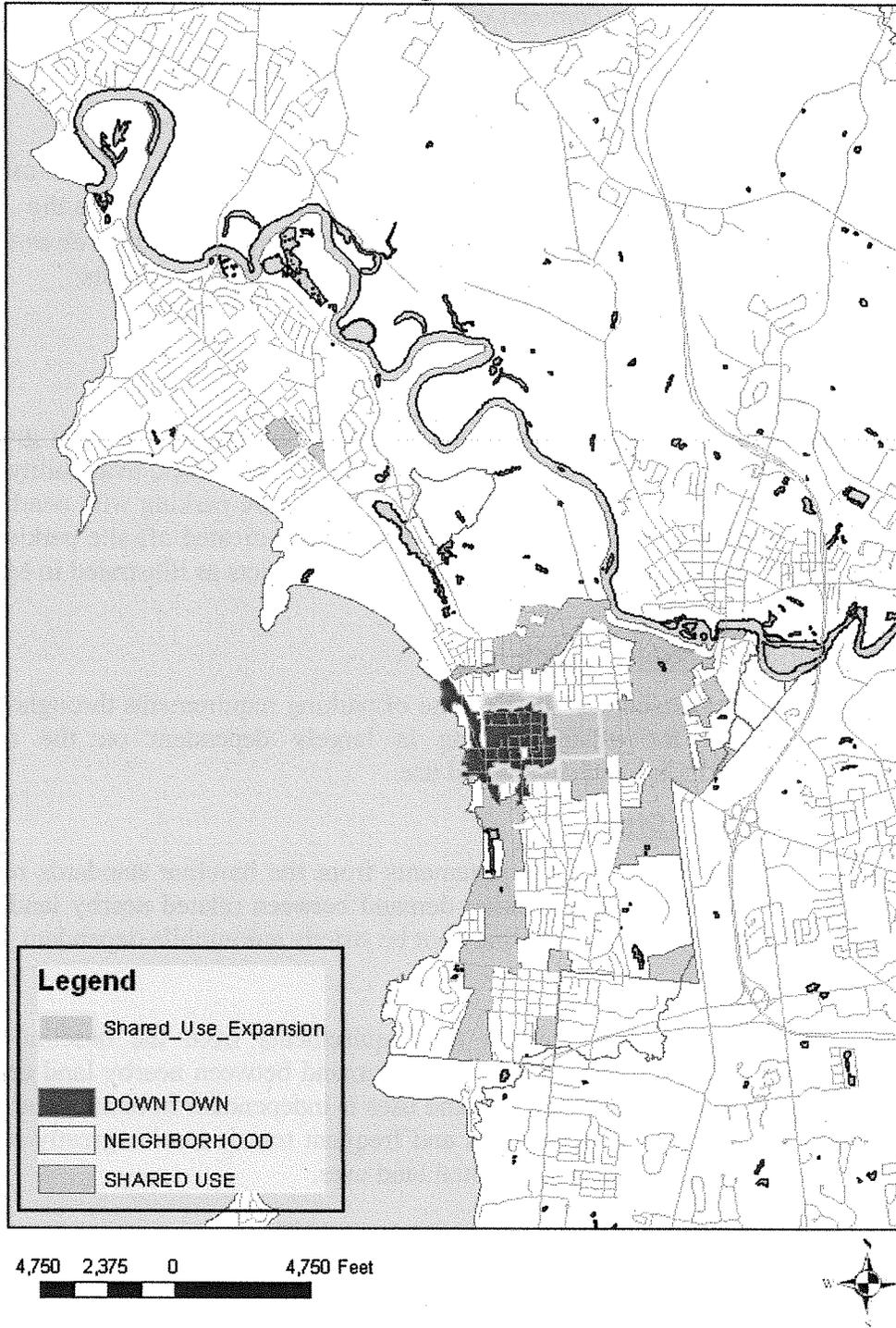
(b) Shared Use Parking District:

This parking district reduces the requirements from the baseline standards recognizing that opportunities exist to share parking demand between related nearby land uses, and that travel to and between these uses may not be strictly automobile dependent.

(c) Downtown Parking District:

This parking district further reduces the requirements from the baseline standards recognizing that extensive sharing of parking demand between nearby land uses occurs; that a majority of travel to and between land uses is independent from an automobile; and that an array of public parking facilities and frequent transit service greatly reduces the need for independent parking for individual land uses.

Burlington Comprehensive Development Ordinance Parking Districts



Map 8.1.3 - 1 Parking Districts

Sec. 8.1.4 Existing Structures

Any structure or land use lawfully in existence prior to the adoption of this ordinance shall not be subject to the requirements of this Article as long as the kind or extent of use is not changed, and provided further that any parking facilities now serving such structures shall not in the future be reduced below such requirements. In the event that the kind or extent of use is changed, current parking requirements shall apply if the change results in a greater parking requirement than existing.

Sec. 8.1.8 Minimum Off-Street Parking Requirements

Parking for all uses and structures shall be provided in accordance with Table 8.1.8-1.

- (a) Where no requirement is designated and the use is not comparable to any of the listed uses, parking requirements shall be determined by the DRB upon recommendation by the administrative officer based upon the capacity of the facility and its associated uses.
- (b) When the calculation yields a fractional number of required spaces, the number of spaces shall be rounded to the nearest whole number.

Table 8.1.8-1 Minimum Off-Street Parking Requirements			
	Neighborhood Districts	Shared Use Districts	Downtown Districts
RESIDENTIAL USES	Per Dwelling Unit except as noted		
Multi-unit attached dwelling units, studio units or 1-bedroom dwelling unit.	2	1	1
Single Family detached and Duplex	2	2	1
Studio/1 Bedroom	1	0.33	0
2 Bedrooms	2	1	0
3 Bedrooms	2	1.5	0
4 Bedrooms	2	2	0
5+ Bedrooms ¹	3 + 1 per additional bedroom >5	3 + 1 per additional bedroom >5	0
RESIDENTIAL USES - SPECIAL	Per Dwelling Unit except as noted		

¹ 1 parking space per additional bedroom shall not apply to an affordable housing unit or a dwelling unit occupied by a family as either are defined in Article 13: Definitions.

ZONING PRACTICE

MAY 2013

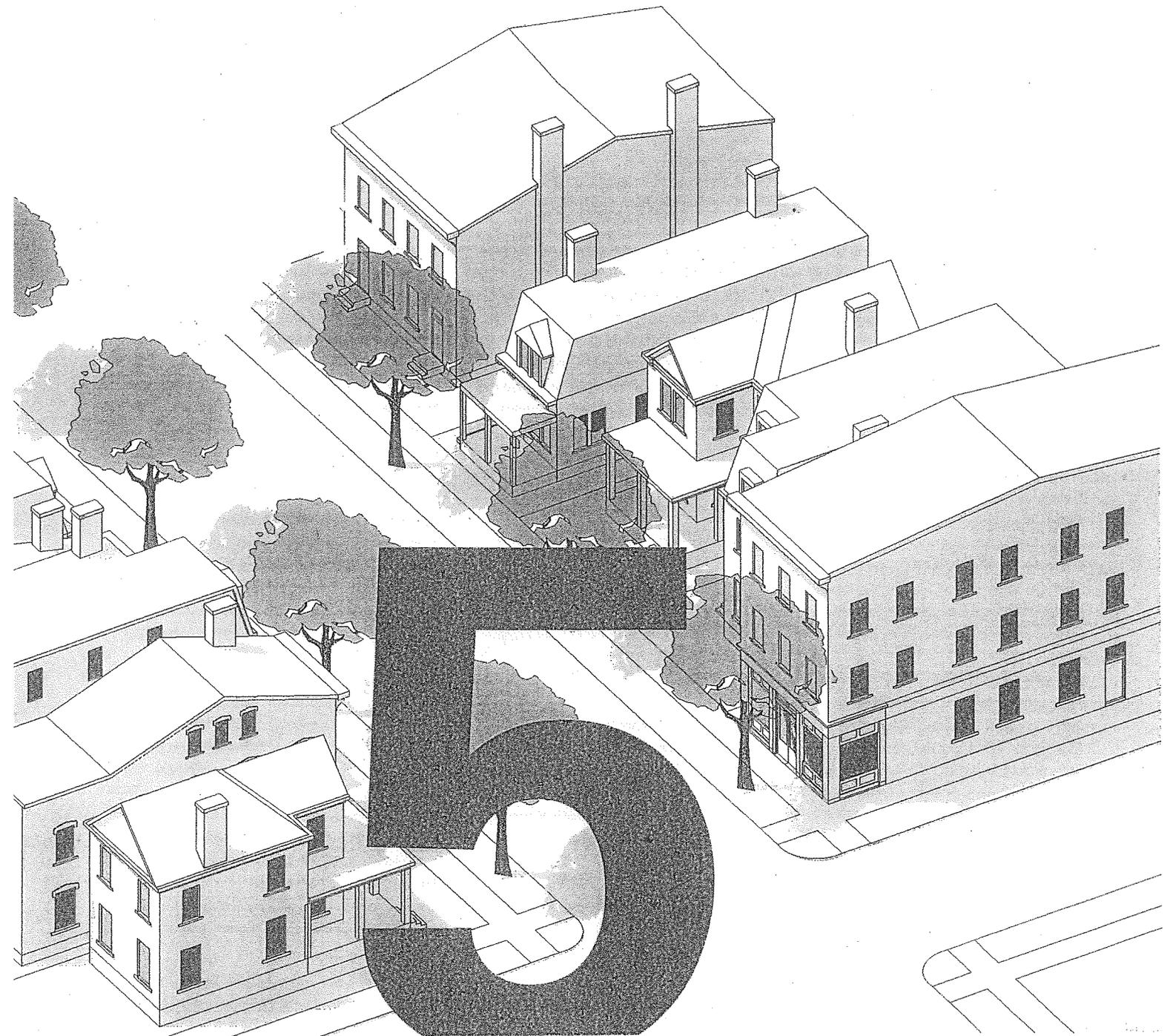
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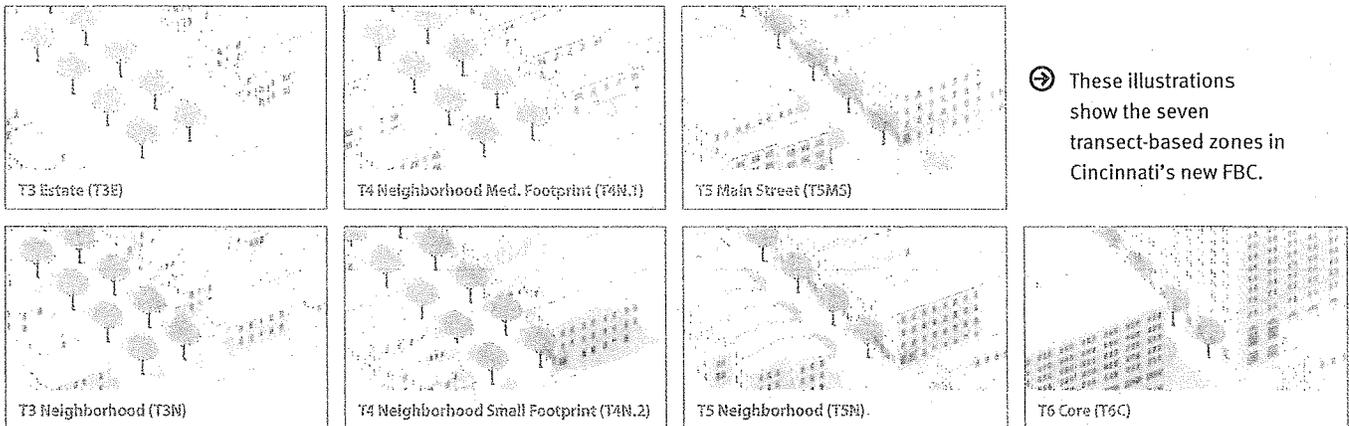
➔ ISSUE NUMBER 5

PRACTICE FORM-BASED ZONING



Avoiding Common Form-Based Code Mistakes, Part 1

By Daniel Parolek



➔ These illustrations show the seven transect-based zones in Cincinnati's new FBC.

Opticos Design, Inc.

Most cities have a broken zoning system that is not delivering the type of development they want or need to be able to respond to shifting market demands for walkable urban places or other trends that will enable them to compete as 21st century cities or regions. As Rouse and Zobl explained in the May 2004 issue of *Zoning Practice*, there are two fundamental problems with Euclidean zoning: (1) separating uses and limiting density has led to excessive land consumption and (2) proscriptive development standards have proven ineffective in protecting traditional urban neighborhoods from incompatible development. Consequently, it's no surprise that a growing number of communities have expressed interest in the form-based code (FBC) as a potential solution to the problems posed by conventional, Euclidean, zoning.

While form-based coding was conceptualized as a comprehensive, communitywide approach to regulating the form of development in a city or region, at the time of Rouse and Zobl's article, most FBCs applied only to specific neighborhoods or districts. The good news is that the theory has now been proven in practice.

Since 2004, citywide FBCs have spread rapidly to large cities like Miami and Denver; medium-sized cities like Cincinnati; towns like Flagstaff, Arizona, and Livermore, California;

and even small rural communities like Kingsburg, California. At the county level, Lee, North St. Lucie, and Sarasota counties in Florida have all adopted FBCs, and Beaufort County, South Carolina, and Kauai County (the entire island), Hawaii, are currently working on new codes. Even in the sprawling Phoenix region, Mesa, Arizona, has adopted a FBC to prepare

Most cities have a broken zoning system that is not delivering the type of development they want or need.

its downtown to capture the transformative potential of transit, and Phoenix is about to embark on an FBC effort after an early failed attempt. In fact, as of November 2012, there were more than 250 adopted FBCs across the country, with 82 percent adopted since 2003 (Borys and Talen).

In this same period, the proliferation of articles on form-based coding in trade publications such as *Urban Land*, *The Urban Lawyer*,

Economic Development Journal, and *Builder* testifies to spreading interest among developers, land-use attorneys, economic development professionals, and home builders. In 2004, a group of early form-based coding practitioners and advocates founded the Form-Based Codes Institute to promote best practices and expand awareness, and the first comprehensive book on the topic, *Form-Based Codes: A Guide for Planners, Urban Designers, Municipalities, and Developers*, appeared in 2008.

The flip side of this wave of adoptions is that many cities have experienced ineffective or failed past attempts at form-based coding. There are two primary reasons for this. First, there is a shortage of practitioners who can do form-based coding well. The combination of technical zoning knowledge and understanding of how to write effective regulations—combined with the need for strong urban design skills that enables the FBC writer to understand what makes a community unique, what will make it better, and what built results the code writing will influence—is not a common set of skills taught to planners or architects. Second, many cities do not have the knowledge to know what to ask for or demand of their consultants in a form-based coding process. An estimated half of the cities asking for FBCs are simply getting “user-friendly” updates that do not address the core problems in the code.

ASK THE AUTHOR JOIN US ONLINE!

Go online during the month of May to participate in our "Ask the Author" forum, an interactive feature of *Zoning Practice*. Daniel Parolek will be available to answer questions about this article. Go to the APA website at www.planning.org and follow the links to the Ask the Author section. From there, just submit your questions about the article using the e-mail link. The author will reply, and *Zoning Practice* will post the answers cumulatively on the website for the benefit of all subscribers. This feature will be available for selected issues of *Zoning Practice* at announced times. After each online discussion is closed, the answers will be saved in an online archive available through the APA *Zoning Practice* web pages.

About the Author

Daniel Parolek is coauthor of the first comprehensive book on FBCs, *Form-Based Codes: A Guide for Planners, Urban Designers, Municipalities, and Developers*. He is a founding board member of the Form-Based Codes Institute, and founding principal of Opticos Design, Inc., a California Benefit Corporation. Opticos's recent and current form-based coding work includes a citywide FBC for Cincinnati, Ohio, FBCs for downtown Mesa, Arizona, and three major commercial corridors in Richmond, California, and a SmartCode update for Petaluma, California's SMART Station Area.

Fortunately, this is changing as senior planning staff members learn more about the best practices of form-based coding, schools begin to teach more courses in smart growth planning and form-based coding, and people continue to educate themselves on these topics.

The form-based coding approach and methodology presented in the articles mentioned above represent a paradigm shift in the way we write zoning codes, not just an attempt to add an additional layer of form-based regulations on a use-based system. The intent of this two-part series is to give communities the knowledge to know what to ask for and what to request of their consultants, and for consultants to understand how to select the most effective form-based code approach. These two articles will address common form-based coding misconceptions and highlight common mistakes to avoid based on up-to-date best practice standards learned from the most recent applications. They will also compare different approaches for regulating urban form and give them appropriate labels so they are not confused or used interchangeably.

COMMON MISCONCEPTIONS

Even with the growing application of FBCs to neighborhoods, cities, and regions across the country, many communities remain hesitant to embrace form-based coding. Undoubtedly, some of this hesitation is rooted in common misconceptions related to FBCs.

Form-Based Codes Are Relatively Untested

Contrary to popular belief, FBCs have been tested in the marketplace. Here are statistics from just two projects to summarize the potential economic benefits of an FBC. First, along

the Columbia Pike corridor in Arlington County, Virginia, more than 1,300 units and almost 250,000 square feet of nonresidential space have been built in eight different projects with complex infill conditions under the Columbia Pike Form-Based Code since its adoption in

2004. Second, from 2005 to 2008, the taxable value of properties subject to FBCs in Nashville, Tennessee, increased in value by an average of 75 percent and one area, Ridgeview, showed a 2,000 percent increase in value. This was compared to a 27 percent increase in value in

COMPONENTS OF A FORM-BASED CODE

Communities should analyze how effective the entire FBC system, not its individual components, is for responding to planning trends and goals. FBCs are more than just mixed use zoning districts. Here is an overview of standard and optional components:

- ◆ **Building Form Standards:** Building form standards are form-based zone standards that replace the existing zone standards. They are the core component of an FBC and typically regulate the configuration, features, and functions (uses) for buildings that define and shape the public realm. To be the most effective, their content should be generated primarily by community character documentation as opposed to the preexisting zone standards for each area.
- ◆ **Regulating Plan:** A regulating plan is the map assigning the code's various standards to physical locations, including the form-based zone standards. It replaces the zoning map in a form-based code. In a citywide form-based code it is the same as the zoning map and will have form-based and non-form-based zones on it. It is usually applied in a more fine-grained manner than a zoning map, taking existing and intended form into account.
- ◆ **Frontage Type Standards:** Frontage type standards regulate the appropriate transition from the private realm to the public realm. The ultimate intent of frontage standards is to ensure, after a building is located correctly, that its interface with the public realm and the transition between the two are detailed appropriately.
- ◆ **Public Space Standards:** Public space standards are specifications for the elements within the public realm, including thoroughfares and civic spaces. Thoroughfare standards incorporate detailed requirements for sidewalk, parking lane, and travel lane widths and street tree locations. Civic space standards regulate parameters, such as maximum and minimum size, and introduce a range of nonsuburban civic space types into a city or town.
- ◆ **Building Type Standards:** Many FBCs include building type standards that are supplemental to the building form standards. They introduce an appropriate range of building types that are allowed within each form-based zone and regulate form characteristics specific to each type. To be effectively regulated, especially when applied at a larger scale, building type standards should be tied back directly to zone standards.

areas not subject to a FBC. Keep in mind this construction and the property value increase took place, in part, during one of the largest economic recessions in this country's history. Has this gotten your attention yet?

Form-Based Codes Are for Greenfields

While it is true that modern form-based coding was pioneered by the planners of Seaside, Florida, 30 years ago, FBCs have since proven to be an effective tool for regulating complex urban environments. For the past 10 to 15 years, the practice of form-based coding has focused on replacing existing zoning in existing urban environments. This can be seen in the examples introduced above and the growing list of non-greenfield FBCs (Borys and Talen 2012).

FBCs Are Just Guidelines

An effective FBC replaces the existing zoning and eliminates the need for guidelines. See the section below that compares different approaches to regulating urban form.

Form-Based Coding Is Too Complicated

Form-based coding is sometimes seen as being too complicated because the practice is relatively new and not well understood. Unlike conventional zoning, it integrates urban design as an integral part of the coding process. From a procedural perspective, applying a FBC is not any more complicated than a typical rezoning, but writing a successful FBC does require a different skill set than a conventional zoning ordinance. The FBC process engages the community, builds upon the unique characteristics that communities value, and, in the end, is a document that anyone can pick up and easily understand and use. If the task of applying FBCs seems daunting, start small and let it spread.

Form-Based Coding Is a Boilerplate Approach

Often this misconception originates from inappropriate use of the SmartCode template. The SmartCode is a free model FBC created by Duany Plater Zyberk & Company, and while it is true that many communities have adopted FBCs based on the SmartCode, the code's authors never intended a community to adopt it in whole or in part without first calibrating it to a specific local context. Furthermore, many FBCs are not rooted in the SmartCode at all.

In reality, the extensive community character documentation and analysis phase completed in a FBC process is often far more

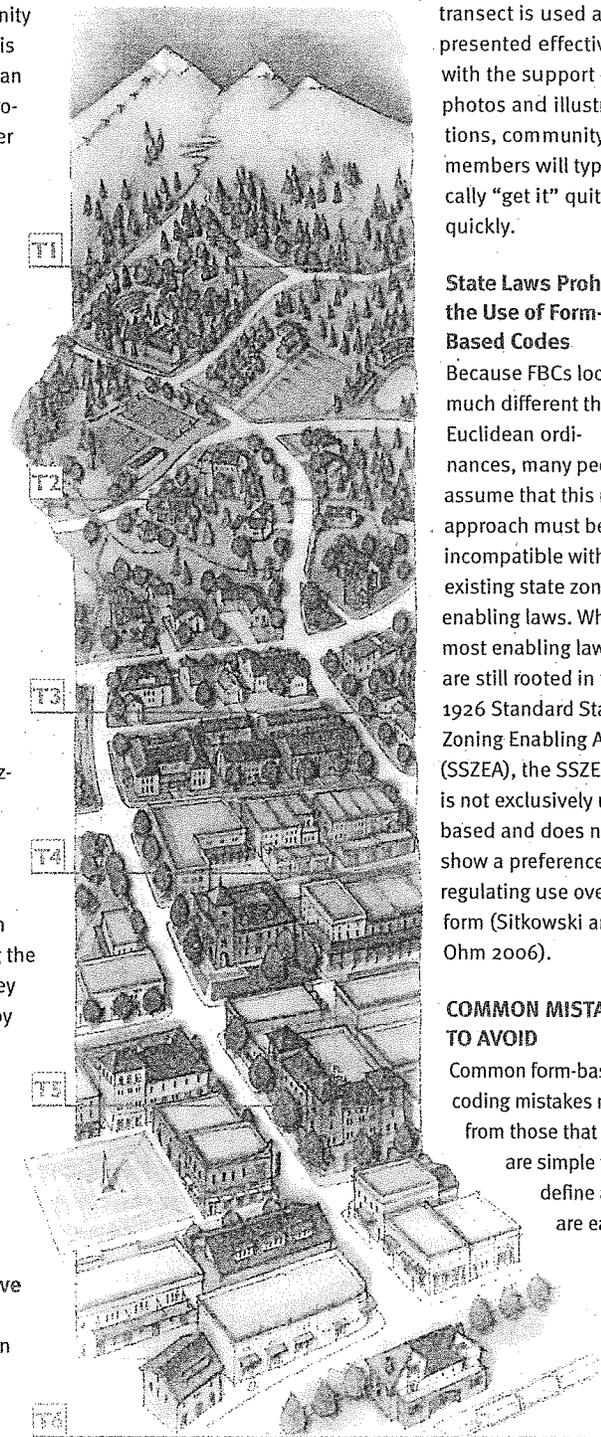
extensive than any community character assessment that is typically done for a Euclidean code, and this extensive process enables the code writer to extract the unique DNA from a community's urban form and make that the basis for the framework and regulations within the code. This documentation, analysis, and calibration stage will be summarized in part two of this series next month and is discussed comprehensively in *Form-Based Codes: A Guide for Planners, Urban Designers, Municipalities, and Developers*.

Form-Based Codes Do Not Regulate Use

While form-based coding uses form rather than use for its framework or organizing principle, FBCs are not silent on use and do include use tables. The use regulations simply become tertiary to the form standards instead of being the primary regulation, and they are simplified and vetted by the code writer so as not to compromise the intent of the FBC. The approach to use tables within FBCs will also be discussed in more detail next month.

The Urban-to-Rural Transect Is Not an Effective Organizing Principle

The primary misconception about the urban-to-rural transect is that it is too simplistic to capture the variety present in complex built environments. In reality, applications in Miami; Cincinnati; Mesa; El Paso, Texas; Birmingham, Alabama; and the code in progress for Beaufort County, South Carolina, clearly illustrate the complexity and effectiveness of the transect as a zoning tool and its ability to reinforce unique characteristics and patterns of a wide range of places. If the



transect is used and presented effectively, with the support of photos and illustrations, community members will typically "get it" quite quickly.

State Laws Prohibit the Use of Form-Based Codes

Because FBCs look much different than Euclidean ordinances, many people assume that this new approach must be incompatible with existing state zoning enabling laws. While most enabling laws are still rooted in the 1926 Standard State Zoning Enabling Act (SSZEA), the SSZEA is not exclusively use based and does not show a preference for regulating use over form (Sitkowski and Ohm 2006).

COMMON MISTAKES TO AVOID

Common form-based coding mistakes range from those that are simple to define and are easily

⊕ This illustration of Flagstaff, Arizona's transect illustrates different contexts in the city that became the basis for its form-based zones.

Opticos Design, Inc.

corrected, to those that are more technical and relate to overall approach and methodology, and thus take more thought to carefully address. A group of these common mistakes, both easy and technical, are addressed in this issue, but the list will be continued next month in part two.

Using FBCs to Regulate Suburban Contexts

The primary intent of form-based coding is to effectively regulate walkable urban areas. When you try to use them to regulate drivable suburban areas (i.e., areas that are intended to remain drivable suburban areas) this will compromise the clarity and effectiveness of the code and possibly raise false expectations. This means that in a citywide application you will typically have a form-based system in place to regulate walkable urban or desired walkable urban areas (i.e., sprawl repair or greenfield development) and a refined Euclidean system to regulate drivable suburban areas effectively. In essence, this is the key to an effective hybrid code.

Confusing Other, Less Effective Zoning Approaches with Form-Based Coding

Because the practice of form-based coding is still relatively new and represents a major change in the methodology of zoning, it is often hard for communities to know what to ask for or what to look for in a consultant's experience. In addition, because form-based coding seems to be the latest "buzz" in zoning practice, almost every code project is being labeled form-based zoning or form-based coding, which threatens to distort and dilute the meaning of the concept. For example, FBCs are not design guidelines or graphical representations of existing Euclidean standards. And FBCs are not synonymous with any zoning district or ordinance that enables a mix of uses. (See table on pages 6 and 7.)

DISTINGUISHING AMONG DIFFERENT ZONING APPROACHES

The information below and the table supporting this article are intended to clarify and classify different zoning approaches to prevent further confusion about what an FBC is and to enable comparison for cities and code writers alike. These are generally organized from least to most comprehensive and effective.

Adding Graphics to an Otherwise Conventional, Use-Based Code

An FBC is not simply a conventional code with graphics added to it. Even though taking this step can make a document a bit easier to use and understand, it does not address the core problems

that are inherent in almost every existing zoning code, which is their inability to effectively regulate urban form. Taking this step often confuses users because they think they are using a new code and then get frustrated when they realize the core problems have not been addressed. This is not a recommended approach.

Adding Design Guidelines Without Changing Base Zoning Districts

In this approach, the code writer is simply adding another layer of regulations or policy direction (depending upon how they are adopted) but not addressing the problems inherent in the existing zoning code, and when completed, the guidelines often conflict with the zoning standards, making it difficult to administer and confusing to users. Simply said, adding this additional layer of regulation decreases clarity and predictability. Meanwhile, a well-written FBC incorporates the elements that, in a Euclidean system, might historically be included in site planning guidelines and makes them integral to the zoning code.

Adding Mixed Use Districts to an Otherwise Conventional Use-Based Code

Starting in the mid- to late-1990s many communities added mixed use districts to their existing zoning codes in an attempt to make walkable, urban development easier and to facilitate neighborhood revitalization. The problem was that, in too many cases, these districts included prescriptive numerical dimensional standards and did not signal a clear intent on form. Furthermore, other suburban-oriented regulations in the code, such as parking and landscaping requirements, compromised the end result of these districts or limited their use by developers.

Reorganizing the Code and Adding Graphics

This method takes the first approach one step further by cleaning up administration and procedures and restructuring the code organization, in addition to adding graphics. This will make a code much easier to understand, but it is still not addressing the core problem of suburban DNA and tendencies of a code to incentivize auto-dependent development. Use is still the organizing principle. The first few projects will likely provide disappointing results after such a large coding effort. Such results only reinforce the misconception that built form cannot be regulated effectively and is best addressed in arbitrary design review meetings.

Integrating a Complete FBC Into an Otherwise Use-Based Code

This is an excellent approach when you do not have the budget or are not in a good position to do a complete code rewrite. This approach puts a framework in place for targeted application of a complete FBC, and if it is done correctly, it can grow to cover other parts of a city as the budget, political will, or other factors enable it. An example is Mesa's parallel FBC, which was written for initial application to its downtown to respond to the implementation of light rail but done in a way that could either be used by the city in future planning and coding efforts or by property owners of larger sites that met a certain set of criteria, such as a large grayfield site. What is often not understood about this approach is that it is not simply adding some new form-based standards or form-based zones but rather creating a complete, parallel code within an existing zoning code.

To be most effective, the FBC should be mandatory, replacing the zoning for one or more

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mapped districts. In states with strong private property rights concerns, a mandatory FBC effort may be politically infeasible. When a mandatory code is not possible, an optional FBC overlay may still be an effective alternative. In this approach, property owners have an option of developing under conventional zoning or under the FBC. At first glance, this may seem similar to a planned development district, but unlike a planned development, the FBC is mapped to one or more areas and does not require a rezoning. The future of these areas has been predetermined by the visioning and coding process and is not subject to site-by-site negotiation. The Columbia Pike FBC is an excellent example of this optional overlay approach.

Using Form as an Organizing Principle for the Zoning Code

This is the most comprehensive approach and, when done well, the most effective approach to form-based coding. In this approach, the table of contents of the code document is structured with a form-first philosophy. Every provision from the preexisting code is vetted for its applicability to the form-first operating system before it is transferred so that it does not compromise the intent. All regulations, including parking, landscaping, lighting, and signage, relate to context rather than to a specific use. This approach is perfect for a community that has made a strong commitment to promote smarter, more sustainable growth, transit-oriented development, or simply non-auto-dependent development that reinforces its unique character.

Miami 21, the citywide code for Miami, which received APA's 2011 National Planning Excellence for Best Practice award, is the most comprehensive application of this approach to date. Most of the city of is mapped with form-based zones. This was possible because a majority of the city is urban in character, and the process had strong support from then-Mayor Manny Diaz.

Livermore, California, used this approach to make infill a priority and to reinforce its commitment to promoting redevelopment. Even though the form-based zones were only mapped on a limited basis in Livermore, the system was in place to default to walkable urban development instead of making it the exception, reinforcing the city's smart growth policies and allowing the FBC to spread geographically in the future without any major changes or additional work on the code.

Flagstaff, Arizona, also used form as the organizing principle for its new code.

Flagstaff's process replaced a problematic performance-based system that had a primary objective of protecting natural resources with a form-based approach that promotes appropriate urbanism, while still protecting natural resources.

This approach can work effectively in small towns as well. For example, Kingsburg, California, is an agricultural community in California's Central Valley with a population of approximately 11,500 people. It adopted this

approach successfully within its zoning code to preserve its small-town character.

In the cases of Livermore, Flagstaff, and Kingsburg, the suburban parts of the city, where there was no intent to change them, is still mapped with used-based zones; these zones reside on the map next to form-based zones. In addition, the cleaned-up use-based regulations reside next to the form-based regulations in the code. If the city decides to transform these suburban areas into walk-

LESS COMPREHENSIVE & EFFECTIVE

 MORE COMPREHENSIVE & EFFECTIVE

Typical Approaches to Zoning Urban Form (from least to most effective)	What Should this Approach be Called?	Organizing Principle	New Components Created and Included
1. Adding graphics to a Euclidean, use-based code	Graphics-Based Code	Use	Primarily additional graphics and tables, content has minor changes only
2. Adding design guidelines/site planning guidelines to a Euclidean, use-based code	Design Guidelines or Design Standards	Use	Components similar to FBC components may be created, but they do not replace the code so they may not be as carefully vetted and may create conflict within the zoning code
3. Adding mixed use zones to a Euclidean, use-based code	Targeted Mixed Use Zone Application	Use typically, sometimes form	New base zones and zone standards only
4. Adding graphics, reorganizing code, cleaning up administration, and minor changes to development standards	Code Clean Up and Reorganization	Use	Mostly just translating existing information into tables and creating drawings to support existing code information
5. Optional Form-Based Code overlay	Form-Based Code Overlay	Form	All typical FBC elements included, process rethought for FBC application
6. Integrating a complete form-based code within a preexisting zoning code	Parallel Form-Based Code	Form for FBC section, use for the rest of the preexisting code	All typical FBC elements included, process and all general standards (parking, landscaping etc.) rethought for FBC application
7. Using form as an organizing principle for the entire zoning code and using form-based code components as the driver for your table of contents	Citywide Form-Based Code	Form	All typical FBC elements included, process and all general standards (parking, landscaping etc.) rethought for FBC application; administration and procedures, variances, etc., are all rethought to support the FBC

Form-Based Codes

Form-Based Codes

Is the Form-Based Code Organized for Usability?	Likely Cost Range	Considerations for this Approach
Not in this sample	Low, primarily because it is a graphic design-usability exercise only	This is completely ineffective and should be avoided. This is what you will often get if your budget is too low for a true FBC: It will look good, but will not produce predictable results. Does not address obstacles for good development or process-related issues inherent in most zoning codes.
No	Low, primarily because it does not address the problems with underlying zoning	Mostly ineffective due to typical issues inherent in existing code that are not addressed; may even contradict zoning. Adds another layer of regulations that confuses intent and negatively impacts usability and administration.
No	Low, primarily because this approach entails creating only new base zones	Effectiveness depends highly on quality and clarity of existing code and development review process. If administration and the code document structure are good, detailed visioning is completed, and the mixed use zones are not oversimplified, this can begin to show good results. Existing parking, use tables, landscaping standards, etc., must be vetted.
Yes	Medium to high depending on scale of city or county	Addresses many of the issues above but ultimately still has use as an organizing principle, which limits the effectiveness of the code and stops it short of being an FBC. Does not typically complete documentation and analysis of place to extract the DNA that becomes the basis for the code but rather uses existing zone standards as starting point and makes changes to those.
No	Low to medium, depending primarily on extent of visioning completed	Administration, parking, landscaping, and all other elements within code must be vetted and coordinated with intent of the FBC and potentially included in the FBC and replaced when the overlay is triggered.
Sometimes	Medium, primarily due to the fact that a complete, parallel code is being created to replace the existing code in targeted areas	Administration, parking, landscaping, and all other elements within code must be vetted and coordinated with intent of the FBC Division. If you are doing a complete code rewrite and you choose this approach, you are writing two complete, parallel code documents, which is not a good use of resources. This approach is still sending a message that the default is drivable suburban development and that FBCs are the exception.
Yes	High, slightly higher than #4 due to charrettes for FBC Focus Areas, extensive documentation and analysis phase, and careful vetting of all standards	In this approach, the structure of the entire zoning code is completely rethought, a new operating system is established, and thus the entire table of contents of the code document is structured with a form-first philosophy. Every last bit of content from the preexisting code is vetted for its applicability to the form-first operating system before it is transferred so that it does not compromise the intent. This approach is perfect for a city that has made a strong commitment in its city policies to promote smarter, more sustainable growth. Let Euclidean zoning regulate drivable suburban contexts, and the FBC regulate walkable urban contexts. It is called a citywide form-based code not because the entire city has form-based coding applied, but rather the entire city has been assessed and the FBC applied to where it makes sense. The FBC application can then easily spread.

able urban places, it can apply the form-based zones to these areas, after visioning, without requiring a new coding effort. Note that it is best to call these hybrid codes, not hybrid FBCs, because it is not the FBC that is hybrid but rather the entire code because it has both form-based and Euclidean components.

CONCLUSIONS

The application and interest in form-based coding has exploded across disciplines since *Zoning Practice's* introduction to the topic in 2004. This is largely due to the ineffectiveness of a Euclidean zoning to address the demands of 21st century cities, towns, and regions for walkable urbanism, diverse housing choices, more sustainable development patterns, and the desire to reinforce unique community character. The FBC, when applied correctly, has proven to be an extremely effective zoning tool for addressing these demands.

Stay tuned. The next issue of *Zoning Practice* will cover more common mistakes to avoid in form-based coding, including omitting an extensive documentation and analysis phase, not refining land-use tables, using the urban to rural transect incorrectly, not graphically assessing your existing zone standards, using too many graphics, and not linking your form-based coding and comprehensive planning efforts.

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Andy Montroll
Jennifer Wallace-Brodeur
Vacant, Youth Member



Burlington Planning Commission Minutes

Tuesday, April 23, 2013 - 6:30 pm

Present: Y. Bradley, L. Buffinton, H. Roen, J. Wallace-Brodeur
Absent: B. Baker, A. Montroll, A. Saba
Staff: S. Thibault, D. White, E. Tillotson

I. Agenda

No changes.

II. Public Forum

Y. Bradley – Opened the public forum at 6:35 pm.

J. Speidel: He commented that the proposed development on George and Pearl Streets will contribute to a significant increase in density and height which is a good thing. How are people notified? Landlords in Burlington are business owners and potential developers who often own several properties. Can the City influence landlords to take care of outstanding issues before new zoning permits are approved? Lots of young people including students live in these properties, and there are frequently issues with maintenance, etc.

D. White: A notice is sent to adjacent owners before the DRB hearings. Business owners are accountable for other outstanding violations but those aren't normally tied to other property. Information is provided to the clerk's office re: licenses, and can be an influence but in a different context.

J. Speidel: Is there precedent to require business owners from other towns to clean up issues?

J. Wallace-Brodeur: Agrees that the opportunity for leverage should be explored.

Y. Bradley: This is a good subject for discussion. He closed the public forum at 6:41pm.

III. Report of the Chair

The Chair presented the following report:

- There is an upcoming conference the middle of May concerning new stormwater regulations which will be an opportunity to examine the influence on development. He was asked to speak.
- The Chair requests that several Commission members attend the Ordinance meeting on 30th and gather some people to speak about the proposed parking change.

IV. Report of the Director

The Director presented the following report:

- The Director, S. Thibault, Comprehensive Planner, and S. Gustin, Senior Planner all attended the National conference in Chicago this past week, a really good conference with many great ideas.

As approved by the Burlington Planning Commission on March 26, 2013.

- Next Monday night is the first hearing on planBTV, the second is scheduled for May 6th. It is critically important to have lots of people to support plan and there needs to be a plan to contact all of councilors previous to the meeting.
- The parking amendment will be discussed by the City Council Ordinance Committee next Tuesday evening. At the Chicago conference the planners heard ideas and support for the parking approach being proposed for all the same reasons.
- He has met with Jess Oe Bridges, Park and Recreation Department to speak about a proposed zoning amendment to address coverage in City Hall Park. The desire is make changes to RCO-RG to address intensity of development and density in the city. He will create a draft for the Planning Commission to examine.

V. Go for Gold Blueprint

A presentation was made by Local Motion representative, Jason Van Dreische

His background includes a contract with funding from the CDC with a goal of increasing emphasis on the built environment. Creating walkability and bikeability are the goals, as well as discovery of barriers to access parks and recreation areas. Burlington is already a silver level community and it now seems that it is very likely with the existing and continuing work in place that the City could qualify for the gold standard. Burlington City is roughly comparable except for infrastructure.

Following is his list of projects progressing well and opportunities for improvement.

- He has worked to organize the document into themes and it meshes well with the plans from city leadership, planBTV, and transportation plan.
- He has worked with community leadership groups.
- And he has also worked with the Regional Planning Commission taking an active role in planning.

Burlington does a great job of providing walking support. Sidewalks are plowed, crossing guards provided, crosswalks in place, etc.

Burlington is starting to lag behind other communities in the provision of biking facilities. The city layout is good; the investments in biking infrastructure are older. Other transportation modes are well provided for since there is great transit and the college street shuttle are all a great help to walking and biking.

Possible opportunities for improvement:

- New investments in walking infrastructure which are highlighted in planBTV, with the pedestrian a priority at crosswalks.
- More and safer mid-block crossings are needed and are crucial to address.
- Creation of new pedestrian specific areas needs to be addressed. Pedestrian exclusive or pedestrian dominant streets are needed.
- New investments in biking infrastructure such as bike storage and parking, better bike lane marking and maintenance.
- Changes to city wide parking policy is supported including a shift from design speed to target speed. It is important to implement strategies constraining traffic to flow smoothly.
- There are innovative new programs, trial installations, an emphasis on public art and seductive design all of which echo the goals of planBTV.
- It is important to create emphasis on bike events with a wide spectrum of activities.

In May the Mayor will officially unveil the proposed plan which consists of two tracks which will turn the plan contents into actual goals, the concept level scheduled for summer and fall.

As approved by the Burlington Planning Commission on , 2013.

Second, the vision will build a campaign for a world class, gold level biking City. Burlington could be the first city east of Madison, Wisconsin to obtain gold status.

L Buffinton: It is fabulous that this being worked on. It would be helpful to mention that we are not meeting in our air quality standards. The clean air issue needs to be brought into the mix. Walking and biking merit equal emphasis. City maintenance is very important. It seems it would be a good idea to present to the NPAs.

H Roen: Has a concern about geography and biking. Is the fact that the hill is straight down an issue?

J. Van Driesche: Doesn't think so. There are a variety of other options relating to transit resources.

L. Buffinton: Maybe alternative routes for biking? And what about skateboarders in lanes?

J. Van Driesche: There are a variety of options for bike lanes on streets proposed in the bike/walk master plan. Car doors are an issue. There are creative solutions for cars/parking, will be hard choices

J. Wallace-Brodeur: Is struck by the excellent documents on planBTV and the master plan for the city. They are the right ideas but have lagged. It is necessary to educate the public about projects going forward and how this project ties into the overall goal. North Avenue is being considered for complete street status. It will take a lot of work and is a great goal.

VI. Historic Building Materials

D. White: Presents a summary of the working group meeting. The emphasis is to strike the reference to materials and retain appearance/features. References to the Secretary of Interior standards will not be retained. There is a need for more exact definition, too generic as exists. Materials will be edited out of the ordinance.

L. Buffinton: Materials can be a little muddy, one change 5b example. Reference old brick vs new brick may need to retain color. Deteriorated should be included. Renumbered number 8 creates the opportunity that the new work shall be differentiated from the old. She is concerned about forced differentiation of old and new.

H. Roen: The first point changing from materials to features is okay.

Y. Bradley: The Commission agrees that owners should have larger flexibility. Think we are very close. Differentiation should be up to the owner.

J. Wallace-Brodeur: Agrees.

L. Buffinton: Take out phrase "new work shall be compatible".

D. White: The goal is differentiation, not to create mimicking of an old building.

J. Wallace-Brodeur: This hasn't been implemented in a subtle way.

Y. Bradley: A building should be allowed to evolve. He is not comfortable that it should be called out.

E. Bergman: It would be good to be careful in terms of trying to cut this too closely, keeping it simple would be better. Eliminate the second sentence if you wish to clarify.

L. Buffinton: Agrees with Y. Bradley that massing, spatial relationships, size, scale, proportion are the keys and that massing and spatial relationships should have priority.

Y. Bradley: We are trying to give greater flexibility as well as respect integrity of design, size and height.

L. Buffinton: It is important to respect the integrity of a building.

J. Wallace-Brodeur: There is too much squish in the definitions.

D. White: Spatial relationships are defined as the space between buildings. This is a different context than an addition to primary building.

Y. Bradley: The new work shall be compatible with the existing structure.

As approved by the Burlington Planning Commission on , 2013.

On a motion by L. Buffinton, seconded by H. Roen, the Commission unanimously amended Number 8 to read as follows: "New additions, exterior alterations, or related new construction will minimize impacts on historic features while maintaining the size, scale and proportional spatial relationships that characterize the property."

L. Buffinton: What about the issue of brick?

Y. Bradley: And # 6 matching reveal?

J. Wallace-Brodeur: The whole point is to provide flexibility but retain the look. The point was to try to match the existing including the reveal.

On a motion by L. Buffinton, seconded by H. Roen, the Commission unanimously amended number 6 to read as follows: "Where materials are to be replaced, the replacement material shall be visually compatible with the original material. Visual compatibility shall include, but is not limited to matching design, texture, and size, and having a similar reveal of the original material. The replacement material shall also be durable."

Y. Bradley: The point is to retain the distinctive architectural features.

D. White: The issue was the standards but sometimes materials are distinctive.

H. Roen: Standards should apply to any distinguishing character.

D. White: The question is what is it that makes a particular building distinctive or eligible?

On a motion by J. Wallace-Brodeur, seconded by L. Buffinton, the Commission unanimously chose the second definition offered for character defining element or feature.

Economic feasibility, means affordable for whom?

J. Wallace-Brodeur: The retention of features represents a societal benefit and a personal benefit.

D. White: It is important to understand that it is not to be confused with economic hardship or economic optimization. The viability of a project is defined in Article 5.4.8.

On a motion by H. Roen, seconded by J. Wallace-Brodeur, the Commission unanimously agreed to the following definition for economic feasibility: "The viability of a project based upon the expenses incurred to meet the Sec. 5.4.8 (b) standards, weighing whether the costs are greater than the benefits. Economic feasibility is not the same as economic optimization, which assumes maximum net benefit among a range of choices, with minimal expenditure."

On a motion by J. Wallace-Brodeur, seconded by H. Roen, the Commission unanimously agreed to the following definition for technical feasibility: "An assessment of the probability, possibility or potential that a product or design can be made."

On a motion by L. Buffinton, seconded by H. Roen, the Commission unanimously warned a public hearing for ZA-13-12 for Jun 11, 2013.

J. Wallace-Brodeur: So does the policy document no longer exist, is it all in here?

D. White: Correct.

VII. Committee Reports

Executive Committee – Has not met.

Long Range Planning Committee – H. Roen met two weeks to review the Urban Agriculture report from the Conservation Board.

Ordinance Committee – Has not met.

VIII. Commissioner Items

As approved by the Burlington Planning Commission on , 2013.

L. Buffinton two weekends ago she attended the form-based code workshops which examined light and heavy form based code. Interesting and helpful.

Y. Bradley: He is proud of the Commission, it was a great discussion tonight and they did a great job of making decisions.

IX. Minutes/Communications

On a motion by J. Wallace-Brodeur, seconded by H. Roen, the Commission unanimously approved the minutes of April 9, 2013.

X. Adjourn

On a motion by L. Buffinton, seconded by H. Roen, the Commission unanimously adjourned the meeting at 8:26 pm.

Yves Bradley, Chair

Date

Elsie Tillotson, recording secretary

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Burlington Planning Commission Minutes

Tuesday, May 14, 2013 - 6:30 pm

PC Present: Y. Bradley, B. Baker, H. Roen, A. Saba, L. Buffinton (arrived at 7:30)

Absent: A. Montroll, J. Wallace-Brodeur

Staff: S. Thibault, D. White, E. Tillotson

I. Agenda

No changes.

II. Public Forum

Y. Bradley – Opened the public forum at 6:40 pm.

Y. Bradley – Closed the public forum at 6:40 pm.

III. Report of the Chair

The Chair reported that:

- He has been a panelist at the CCE Stormwater Conference a couple days ago and presented on a panel on point source pollution. During his presentation he had an opportunity to plug planBTV. He has participated in a forum for builders, architects, developers where the topic of discussion has been designated growth centers, with affordable housing concerns, a very positive discussion. There has been emphasis on our clean lake and water, Vermont has been ahead of the curve with the water quality for a long time, but the cost of maintaining and improving seems to produce little political fortitude to continue this trend.

IV. Report of the Director

The Director reported that:

- PlanBTV has been to the City Council for the first public hearing on April 29 but there was not good attendance. Some people expressed concerns. There were some inconsistencies discovered in the language in the warning, so the corrected wording is being re-warned and the City Council will hold two more public hearings on June 3 & 10. Action is anticipated on the 10th with the hope that the meetings will be better attended with positive comments. S Thibault, Comprehensive Planner, has written a memo to the City Council clarifying some points concerning planBTV. She will forward it to the Planning Commission.
- The City Council Ordinance Committee meeting addressing the removal of minimum onsite parking requirements drew a large crowd, with mostly very positive comments. A few were not positive, the Ordinance Committee was interested but cautious. The parking requirements have been a pillar of municipal zoning for fifty years, and to scrap them gives people pause.

As approved by the Burlington Planning Commission on April 23, 2013.

- The PIAP team has its first meeting tonight to review project concepts. It will involve smaller projects, the Moran projects, and others.
- S. Thibault and the Director have spent a lot of time on form based coding and are almost through the first draft.
- Staff examined the Urban Agriculture report last week to determine which portions are zoning pertinent. They will bring recommendations to the ordinance committee in the coming weeks.
- The Railyard Project is having a second meeting next week to discuss alternatives. The public is invited to participate.

V. Public Hearing: ZA-13-11 Adaptive Reuse and Residential Bonuses

D. White: The Commission has seen this proposed change before. It has been back to the Ordinance Committee which modified some language relating to structures that contain nonconforming use in residential districts. The language is cleaned up, the requirements were adjusted to be consistent with inclusionary zoning and address adaptive reuse in residential zones.

H. Roen: In the big picture does this matter if we adopt form based code?

D. White: Not at the moment, form based code could include some residential.

B. Baker: It is good that J. Van Dreische spoke first addressing work/live environments. This ordinance would present some good possibilities.

D. White: The ordinance already allows and encourages residential use, this drives solely at removing an existing nonconforming use. Within inclusionary use, there is additional lot coverage and density allowed.

S. Fortier (UVM): Is the SD Ireland proposed development able to take advantage of any of the several types of bonuses related to this?

D. White: They are not able to take advantage of residential conversion; there is no extra advantage for them.

On a motion by B. Baker, seconded by H. Roen, the Commission unanimously approved the ordinance as written and forwarded to the City Council for adoption.

VI. Compact Mixed-Use Development

A presentation was given by Jason van Dreische from Local Motion. This work aimed at identifying barriers to infill development. He has met with D. White and S. Thibault to discuss support this work. A convening of experts was created to discuss and address active long term development. There will be a range of perspectives examined including the builder/contractor aspect of project; a big concept for the City. He has met with this group for three two hour work sessions. He has met with others as well; Preservation Burlington, Paul Bruhn, as well as Pat Buteau, responsible for parking at DPW, and Kate McCarthy from the Vermont Natural Resources Council. Preservation Burlington had a lot of input about project. He hopes the changes that have been made are something that all are comfortable with and hopes now to move forward with good results for all parties. He will be seeking guidance on where we go from here from the Planning Commission and will be guided by planBTV also.

S. Fortier (UVM): Did the group talk about the redevelopment ordinance? No

Y. Bradley: The idea as a group was to shift mindset a little, look at issues differently, and consider the total community benefit.

As approved by the Burlington Planning Commission on June 11, 2013.

S. Fortier: Have they considered rating historic structures?

J. Van Dreische: It was discussed in depth. The conversation evolved to where can the city grow? This project involves expansion of the mission for Local Motion to outside of the right of way. The conclusion is that it's necessary to think beyond this, what kind of city are we building for walking and biking?

H. Roen: Thanks J. van Dreische for all of his good work, which is an excellent backstop to planBTV, and specifically to the parking ordinance. What is the purpose of on the record review?

J. Van Dreische: It means that if the permit is appealed the local process is considered in the appeal and is not de novo. It simplifies the process.

Y. Bradley: Now, the burden of proof is on the developer who has to rehire his experts for second time. Time and money will kill deals. It makes the process too unpredictable, and Burlington is not the easiest to do development in.

H. Roen: This would be more burdensome?

B. Baker: Initially, but not if the appeal goes to the environmental court.

D. White: It doesn't have to be more burdensome, the process is about 90 to 95 percent there now. The objective is to keep it as simple as possible for smaller projects.

S. Fortier: The court would look if process was done appropriate to local ordinance?

Y. Bradley: Another piece that is important, people on boards and commissions give a lot of time, now the environmental court doesn't weigh local time investment.

S. Fortier: It would take into consideration if the ordinance were followed.

B. Baker: Applauds J. Van Dreische for this project. Narrow interests often prevail over wider interests. He doesn't think that the broad perspective is examined enough. Was inclusionary housing included in discussion? This and parking are needed.

J. Van Dreische: The 50 percent use requirement hasn't worked, inclusionary housing was not part of this conversation, as this is a big subject and requires a group for examination but is a difficult piece to tackle and a very big piece of the picture.

Y. Bradley: The project is stretching the boundaries of Local Motion, it's great.

J. Van Dreische: He will bring the project back to Planning & Zoning staff for further refinement and ideas.

VII. Institutional District Zoning Change Request

D. White: Months ago a resident of South Prospect Street requested a zoning amendment to change all permitted uses to conditional uses in that the institutional zoning districts. This would mean that all projects proposed by the institutions would have to go to DRB for review. The Executive Committee discussed this briefly and agreed to bring the question to the full commission. He doesn't know that this gets us anywhere.

L. Buffinton: Does the City sit down with institutions to discuss five or ten year master plans?

D. White: Yes, Champlain College has more specific plans, UVM, tends to be more general, less defined.

L. Buffinton: So the City is informed but the neighborhood may not be aware.

S. Fortier, UVM: There are master plan projects with public involvement, and the wards and the City are involved. Champlain College is much smaller physically and better funded. There is a lot of variety in academic uses. Big projects have many groups involved in the review process. The institutions try to

As approved by the Burlington Planning Commission on June 11, 2013.

minimize the impact on neighborhoods. UVM's position is that they do not believe that the institution needs to have conditional use review.

D. White: The department recommends that the institutions continue their master planning effort with close city engagement and that master plans be somehow approved by the city.

B. Baker: Proposes that we deny the request.

H. Roen: That makes sense; the proposal doesn't really address the problem.

D. White: It comes down to traffic. All institutions participate in a parking management plan. The neighbors have instituted a level of dysfunction in reference to traffic.

S. Fortier: UVM is doing a lot of extra things to make the neighbors happy but college students are noisy.

On a motion by A. Saba, seconded by L. Buffinton, the Commission unanimously rejects the proposal.

VIII. Climate Action Plan

S. Thibault, Comprehensive Planner: Over a year ago, the Planning Commission held its public hearing on the Climate Action Plan and then the Council held its first public hearing July 12, 2012. There were lots of questions and concerns from the Council at the time. The previous draft contained lots of data, but this plan is reformatted to present mostly policies and strategies. Two major changes have been made otherwise, the reduction targets have been adjusted to be more realistic and then a compact-mixed use development goal has been added along with strategies.

Y. Bradley: Dense urban infill promotes urban agriculture.

S. Thibault: The other piece is the energy chapter of the Municipal development Plan was updated with current data and to make reference to the correct Climate Action Plan. We are waiting for the IBM Smart Cities report to see if anything should be added to the Climate Action Plan. In effect the process is starting all over again.

L. Buffinton: Once adopted, this needs to become a reference point for planning.

IX. Committee Reports

None

X. Commissioner Items

None

XI. Minutes and Communications

The regularly scheduled meeting on May 28th is canceled; the next meeting will be June 11.

XII. Adjourn

On a motion by H. Roen, seconded by A. Saba the Commission unanimously adjourned the meeting at 8:00 pm.

As approved by the Burlington Planning Commission on June 11, 2013.

Yves Bradley, Chair

Date

E Tillotson, recording secretary

DRAFT

Sandrine Thibault

From: Phil Hammerslough <phil.hammerslough@gmail.com>
Sent: Wednesday, May 15, 2013 6:23 PM
To: David E. White; Sandrine Thibault
Cc: Mayor's Office
Subject: future of the city and our planning & zoning cod

Hi David,

In a recent email I sent to Mary O'Neil I came across the regulations for bike parking and have put down my thoughts under the website below. I have put in the link to Enrique Penalosa's article in the Atlantic Monthly because it serves as a wonderful backdrop to what you and others are trying to achieve for our city. Changing the current regulations for bike parking will do a great deal, (small as it may seem), to promote a quieter, more efficient, and healthier mode of transportation. I truly hope Planning & Zoning will change this ordinance to meet the goals of BTV Burlington.

<http://www.theatlanticcities.com/design/2013/04/coming-bold-transformation-american-city/5437/>

Presently Planning & Zoning has the following policy about bicycle parking for new buildings, "Bicycle storage will be a requirement, (Article 8, Tab;e 8.2.5-1) with 1 bicycle parking space for every four units. An identified bike parking spot will be required.

I have identified this as a low hanging fruit to help get Burlington towards a Gold Standard rating with League of American Bicyclists. I'd like to see Burlington strengthen this policy in the following ways

There needs to be a clarification in the language making a distinction between bicycle storage and a bicycle parking spot.. I would hope bicycle storage would be the preferred phrase since it implies cover from the elements as compared to a bike rack.

1. There should be at least one designated, enclosed and secure bike parking spot for each unit in all multi unit dwellings.
2. All Hotels and motels shall have at least one secure, enclosed bicycle parking spot for every 3 units, located with convenient access, preferably close to an entrance or exit.
3. All transport centers, bus, train and airport shall have a minimum of 10 secure, enclosed bike parking spaces that are easily accessible and close to an entrance or exit. In the case of a parking garage There should be 1 secure bike parking spot for every 20 cars. These secure bike parking stations should be conveniently located near a main entrance to the garage.

Best,
Phil Hammerslough
Burlington Walk/Bike Steering Committee