



Dept. of Planning & Zoning

FY2011 Annual Report

The Dept. of Planning and Zoning's 8-member staff administers two essential governmental functions:

- **comprehensive land use and development planning;** and,
- **administration of the City's land development regulations.**

Through our planning function, the Department is responsible for the preparation of long-range land use and development plans including the city's Municipal Development Plan and other area-specific and issue-specific plans; conducts special studies and inventories; and, researches and drafts amendments to city land development ordinances. This work is often accomplished in partnership with several other departments including CEDO, Parks & Recreation, Public Works, City Arts and the Church Street Marketplace.

Through our regulatory function, the Department administers all permitting and development review functions under the City's *Comprehensive Development Ordinance* which includes both the zoning and subdivision regulations. In this process we collaborate closely in the administration of other development-related codes such as rental housing and zoning compliance/enforcement (Code Enforcement), construction permits (DPW-Inspection Services Div), and liquor licenses (City Council).

In support of these responsibilities and the work of many other City departments, our staff plays a key role in managing the City's Geographic Information System (GIS) and the Application Management and Data Automation (AMANDA) permit system in collaboration with the City's Information

Technology Division. GIS allows users to analyze, view, and interpret information in a way that helps to identify spatial relationships and patterns, and prepare high quality maps. AMANDA is integral to managing several of the City's property information (Land Records and Assessor), permitting (zoning and construction), and code enforcement (minimum housing, public health, vacant buildings and zoning) processes.

The Department's work is guided by a 7-member Planning Commission who formulates land use and development policy and regulations for consideration by the Council. Another 25 citizen volunteers participate in the planning process as members of the Development Review Board, Design Advisory Board and Conservation Board, playing key roles in implementing the City's land use and development regulations. Each year these volunteers dedicate hundreds of hours towards the improvement of the City participating in more than 100 public meetings.

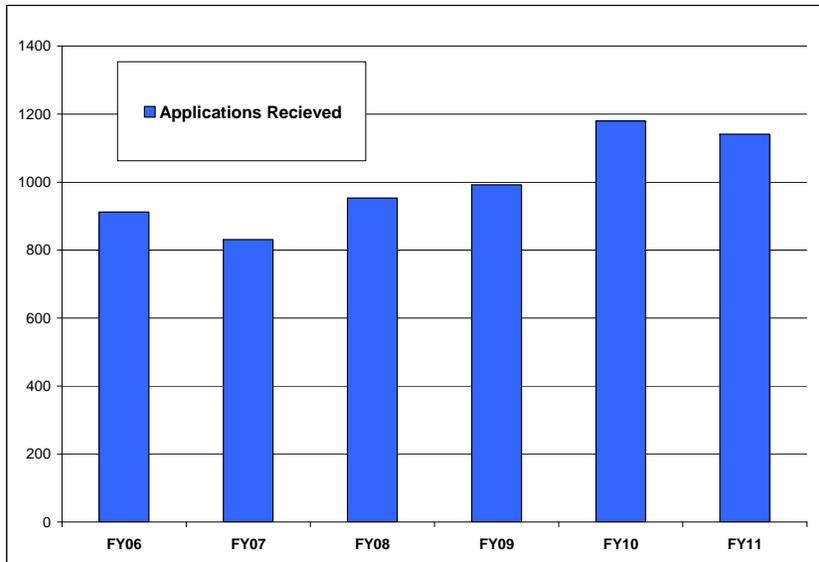
During FY2011 the Department operated on a \$480,923 annual budget - 94% of which went directly to staff expenses. 84% of the Departments revenue came from permit fees and only 12% came from the General Fund.

Development Review and Permitting:

During FY11, a total of 1,141 requests were processed by our staff. Overall, 844 permit applications were reviewed with 817 approved and 27 (~3%) denied. Approved projects had a total estimated construction

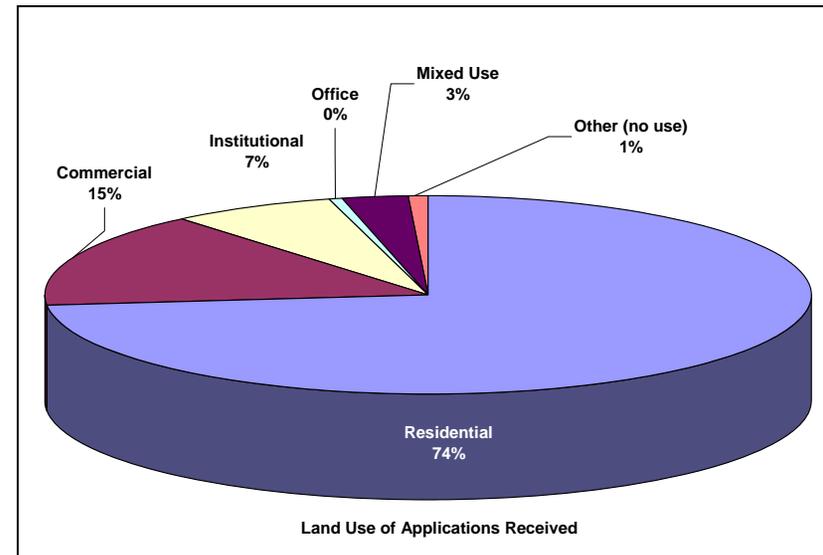
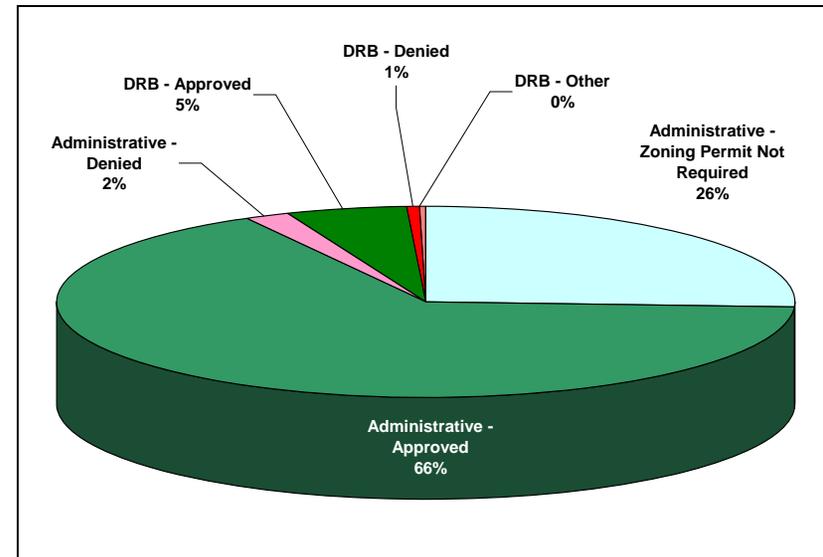


cost of \$116,348,020, and included 496 new residential units.



Of this total:

- 776 applications for a permit (~92%) were reviewed administratively by the Planning staff. 756 of these projects were approved and only 20 (~2.6%) were denied. Additionally, staff issued 295 administrative determinations regarding applicability of the *Comprehensive Development Ordinance*. These are typically a written determination that a zoning permit is not required for the work proposed.
- 71 applications for a permit - including 15 appeals of administrative decisions - were reviewed by the Development Review Board (DRB). 61 projects were approved and 7 (~10%) were denied.
- 13 decisions of the DRB were appealed to the VT Superior Court – Environmental Division.



The Department provides daily updates on the status of applications currently under review on our website. This information is useful to residents to know about development activity proposed in their neighborhood, and helps applicants

know when their permit has been acted on and will be ready to be picked-up. Permit application status information is available by street or ward, and in table or map formats.

Lake Champlain Flooding:

Many property owners along the Lake Champlain shoreline experienced significant spring flooding in April and May. Planning Dept. staff lead by Scott Gustin worked with other City staff from DPW, Code Enforcement and



Burlington Fire to assist property owners in securing state and federal flood assistance. Approximately 275 properties and 88 buildings were affected by record flood levels more than 2-feet higher than the FEMA-designated Special Flood Hazard Area.



Planning staff prepared information and held public meetings to inform property owners of available state and federal assistance, ensure that buildings were properly secured, compile elevation certificates and damage assessments, and facilitate recovery efforts. In the end, a total of 27 properties with 38 structures were provided some form of direct assistance.

Ordinance Amendments:

Regulation of land development is not a static process, and we are always in search of ways to make the process more effective and easier to use. Planning Department staff, working at the direction of the Planning Commission, researches and prepares draft amendments to City land development ordinances. Once approved by the Commission, these amendments then go to the City Council for final consideration and adoption. A total of ten amendments to the zoning ordinance were developed by staff and considered by the Planning Commission in FY11. The City Council adopted these amendments which included new regulations regarding special flood hazard areas and wetland protection.

The [*Burlington Comprehensive Development Ordinance*](#) is available in both hardcopy and digitally (CD), as well as on the Department's website which also includes all pending ordinance amendments currently under consideration, and those recently adopted.

Planning Projects:

The basis for all land development regulation and permitting is the City's land use and development policies and plans. Planning Department staff work with the Planning Commission and other City departments in undertaking planning studies and other projects that help us to better understand and respond to emerging trends and future community needs. Below is a summary of planning projects Department staff have been engaged in over the past year.

- **Citywide Transportation Plan**

In March the City Council adopted a new [Burlington Transportation Plan](#) which became the new transportation chapter of the City's *Municipal Development Plan*. This Plan is the result of a collaborative inter-departmental effort over the past 4+ years; the perspective of a 17-member stakeholder steering committee; the work of a nationally-renowned consulting team; and the review and consideration of the Public Works Commission, the Planning Commission, and the City Council's Transportation, Energy and Utilities Committee.

The Plan is centered on three primary themes: ***Creating a Strong and Healthy City***, ***Facilitating Transportation Choices***, and ***Creating Great Streets***. The Transportation Plan embraces a "complete streets" philosophy for Burlington's streets which emphasizes efforts to meet the needs of all users – cars, bikes, pedestrians and transit. Additionally, the Plan includes illustrated Street Design Guidelines that provide a range of design strategies for consideration in any future street re-design project.



- **Downtown and Waterfront Plan**

In October the City was awarded a \$286,750 Sustainable Communities Challenge Grant from the US Dept. of Housing and Urban Development (HUD) – one of only 42 awarded nationwide out of 583 applications. The grant funds come out of a the new Federal Partnership for Sustainable Communities which is a joint effort of DOT, HUD and EPA intended "to reduce the barriers to achieving affordable, economically vital, and sustainable communities." The objective of Burlington's grant is to support the development of a master land use and development plan for Burlington's Downtown and Waterfront. The plan will be comprehensive in scope and strategic in design. This project has been a long-standing action-item in the City *Municipal Development Plan* since at least 1996, and is the Departments highest priority planning project.



Since entering into a final agreement with HUD in February, work has focused on completing a series of inventories and analyses regarding existing conditions for housing, transportation and parking, retail and real estate, and infrastructure under Phase I of the project.

Phase II will begin in the fall of 2011 and include a planning process with extensive public engagement that will result in a draft plan and zoning regulations for consideration in the spring of 2012. Development of the plan will be a collaborative inter-departmental effort with assistance from numerous consultants who specialize in urban design, housing, transportation, retail and real estate development, and waterfront development.

- **Visualize Burlington in 3D**

Working with students from the Champlain College Emergent Media Center (EMC), the creation of 440 digital three-dimensional models of all downtown and waterfront buildings was completed.



These models will be used in a number of ways including to visualize the implications of proposed urban planning policies and regulations; simulate proposed development plans in relation to their actual surroundings; and to support shadow, noise, and wind-tunnel analyses for environmental impact assessments. Burlington's collection of models can be accessed online via [Google's 3D Warehouse](#).

- **Special Flood Hazard Area Restudy**

With financial assistance secured by Sen. Leahy's Office, the development of a revision to the Flood Insurance Rate Map & Study for the lower Winooski River was completed earlier in the year. With additional data, more accurate topographic information, and modern modeling methodology, this analysis provides a more accurate picture of the extent and nature of the flood hazard.

The result shows a significantly smaller floodway across the Intervale. A revision to the Flood Insurance Rate Map (FIRM) and Flood Insurance Study (FIS) for the lower Winooski River was formally incorporated by FEMA into new Special Flood Hazard Area maps for Chittenden County released in July. The Department continues to work with FEMA on the final resolution of alleged flood hazard mitigation violations in the Intervale, and the re/location of agricultural structures that will permit continued agricultural operations.

- **Climate Action Plan**

Planning and the Legacy Project staff are nearing completion on a revision to the City's 2000 Climate Action Plan (CAP). In 2007 the City established a goal of



reducing greenhouse gas (GHG) emissions by 20% by 2020 and 80% by 2050. After completing an inventory of the city's greenhouse gas emissions and developing a list of over 200 initiatives to reduce the city's emissions, a detailed analysis to quantify and prioritize these initiatives was completed and forms the basis for the planning document.

Priority efforts are divided into 8 action areas: Energy Efficiency in Buildings; Renewable Energy Resources; City Government Transportation; Community Transportation; Waste Reduction and Recycling; Local Farms, Gardens, and Food Production; Urban Forestry and Carbon Offsets; and, Policy and Education. These action areas correspond to either emission sources or to reduction strategies, and allow planners to organize and implement efforts accordingly.

Public review and final adoption of a new Climate Action Plan for Burlington is anticipated in the coming year.

- **Historic Preservation Planning**

The Department administers the [City's Certified Local Government Program \(CLG\)](#) for historic preservation planning under an agreement with the National Park Service and the VT Div. for Historic Preservation. This program provides federal funding to the City to undertake historic preservation related projects.

This year staff oversaw the completion of a Historic Sites and Structures Survey of Modern Architecture in Burlington. This project identified features, characteristics, and designers of more than 80 examples of this property type, as well as provided documentation to assist city

planners and residents in understanding the resources present in Burlington.



Rivermount Terrace



Shelburne Street