

Burlington Comprehensive Development Ordinance

PROPOSED: ZA-14-09 – Lot Coverage Exceptions

As warned by the Planning Commission for public hearing on March 11, 2014

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

Purpose: Add swimming pools, walkways and window wells as exceptions from lot coverage calculation allowing for an additional 10% of lot coverage in residential districts.

Sec. 4.4.5 Residential Districts

(d) District Specific Regulations:

The following regulations are district-specific exceptions, bonuses, and standards unique to the residential 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.

3. Lot Coverage

A. Exceptions for Accessory Residential Features.

In the RL, RL-W, RM and RM-W districts, an additional ten (10) per cent of lot coverage above the otherwise applicable limit may be permitted for the following amenity features accessory to residential uses provided that such features shall at no time be enclosed or be used for parking:

- (i) Decks;
- (ii) Patios;
- (iii) Porches;
- (iv) Terraces;
- (v) Tennis or other outdoor game courts; ~~and/or,~~
- (vi) Swimming pools and swimming pool aprons.
- ~~(vi)(vii)~~ Walkways; and/or,
- ~~(vii)(viii)~~ Window wells.

With the exception of the additional lot coverage allowances provided for under Inclusionary Zoning, requirements such additional lot coverage shall not be permitted for any development where bonus provisions of this ordinance are applicable.

ARTICLE 13: DEFINITIONS

Sec. 13.1.2 Definitions.

For the purpose of this ordinance certain terms and words are herein defined as follows:

Unless defined to the contrary in Section 4303 of the Vermont Planning and Development Act as amended, or defined otherwise in this section, definitions contained in the building code of the City of Burlington, Sections 8-2 and 13-1 of the Code of Ordinances, as amended, incorporating the currently adopted edition of the American Insurance Association's "National Building Code" and the National Fire Protection Association's "National Fire Code" shall prevail.

Window Well: The clear space created by a soil-retaining structure located immediately below a window whose sill height is lower than the adjacent ground level. The **window well** provides drainage around the window and in some cases, an emergency egress route from the structure.