

## Department of Planning and Zoning

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*Ken Lerner, Zoning Administrator*  
*Sandrine Thibault, AICP, Comprehensive Planner*  
*Jay Appleton, GIS Manager/Planner*  
*Scott Gustin, AICP, Senior Planner*  
*Mary O'Neil, AICP, Associate Planner*  
*Nic Anderson, Planning & Zoning Clerk*  
*Elsie Tillotson, Administrative Assistant*



## MEMORANDUM

**TO:** Board of Finance  
**CC:** Susan Leonard, Human Resources Director  
**FROM:** David E. White, AICP, Director of Planning & Zoning  
**DATE:** Monday, November 28, 2011  
**RE:** Re-Classification: Associate Planner (Grade 17) to Senior Planner – Development Review (Grade 19)

This comes to the Board of Finance as a request for the reclassification of the Department's current Associate Planner (Grade 17) to Senior Planner – Development Review (Grade 19) pursuant to the goals, policies and requirements of the *City of Burlington Personnel Policy* (Sec. 1.1, 1.2, 5.3, 5.4 and 5.5). This reclassification is intended to more accurately reflect an expansion of responsibilities and functions that are not in the job current description, and address the resulting inequity in compensation.

Attached for your information are before and after organizational charts for the Dept of Planning & Zoning, and the current job descriptions for Associate Planner (Grade 17) and Senior Planner – Development Review (Grade 19). For your information, I have highlighted the additional and higher-level responsibilities associated with the Senior Planner position that distinguish the two.

### **Background:**

Mary O'Neil was hired as an entry-level Associate Planner in November 2004. Over her nearly 8 years with our Department, her skills, capabilities, and responsibilities have evolved and expanded to the point where today she is functioning at the Senior Planner level. Today, her responsibilities match that of the Department's other Senior Planner and therefore necessitates her reclassification to an equivalent position.

Some specific examples include:

- **Mary's development review caseload has steadily and significantly increased in its level of complexity and responsibility.** An Associate-level planner is expected to spend a majority of their time reviewing and processing fairly simple and straight-forward permit applications (e.g. those for signs & awnings, fences, Basics and COA Level I). The skills involved are fairly straight forward, the decision-making is quite objective, and the work is largely administrative.

In addition to the skills required of an Associate-level planner, a Senior-level planner is expected to be responsible for the most complicated, and sometimes contentious, application types (e.g. those for COA Level II, Major Impact, Conditional Use, Planned Development, and Subdivision). They function in the role of "Project Manager" shepherding a permit application through the development review process from beginning to end. The review of these projects typically involves: more detailed and complex research and analysis; coordination with applicants, their representatives, and other City departments; the preparation of detailed staff comments and findings of fact that are presented to the Development Review Board (DRB); and, the exercise a



very high degree of judgment and skill in their interactions with the many parties that may be involved. A Senior-level planner may also be required to assist in the defense of the City in the case of an appeal of a DRB decision to the VT Superior Court – Environmental Division.

In response to a growing Departmental workload, Mary's responsibilities have steadily evolved and expanded to the point where her project caseload includes a significant proportion of these more complex and challenging application types – well beyond what would be expected of any Associate Planner (over 35 such applications in the past year). Mary has also either testified on the City's behalf or participated in Court-ordered mediation 8 times regarding appeals of DRB decisions.

One recent example is Champlain College's Perry Hall renovation and expansion. This \$6 million project involved a complete rehabilitation of a significant historic building (the former Cannon house built in 1859) and a 17,800 sqft addition to serve as the college's new welcome center for admissions and financial aid. The City's review of this Major Impact project took place over a 13 month period and involved nearly 10 public meetings. As a testament to its quality and significance, the Burlington Business Assoc. awarded this project their 2011 Architectural Excellence Award.

- **Mary's responsibilities have been expanded to include project and grant management functions as the City's Certified Local Government (CLG) Program Coordinator.** The CLG Program is a unique partnership between federal, state and local governments on matters involving historic preservation. Local governments have access to technical assistance and matching grant funds to further local preservation goals. The role of CLG Coordinator involves project management and budgeting; grant writing and administration; and, procurement, contracting and supervision of consultants - responsibilities that go far beyond those described and expected for an Associate-level Planner.

A Senior-level Planner however is expected to have project management skills and assume these types of responsibilities. They are actively encouraged to pursue independent planning projects outside of their ongoing development review responsibilities in order to broaden their professional skills and expand the capability and capacity of the Department overall.

Mary holds a Masters degree in historic preservation, and is a well-respected and often sought-out resource in matters involving Burlington's history, architecture and cultural preservation. Given her clear expertise in this area, Mary was assigned to manage the CLG Program in 2007 when I was hired to become the Department's new Director.

While not related to her job responsibilities, it is important to recognize Mary's acceptance into the American Institute of Certified Planners (AICP) in November 2010. AICP is the professional institute of the American Planning Association (APA). Representing only about 35% of the APA membership, AICP members are recognized nationally for their commitment to professional planning practice, ongoing professional development, and the *AICP Code of Ethics and Professional Conduct*. Eligibility for AICP membership requires a combination of educational and professional experience and a demonstration of knowledge by passing a rigorous and comprehensive national exam.

AICP membership is neither a required or preferred qualification in the job description for an Associate Planner. It is however a preferred qualification for the Senior Planner position. Mary's achievement demonstrates her commitment to the profession and strong desire to take her work and skills to the next level which is exactly the expectation for professionalism we hold for our senior-level staff.

**Workload Impact:**

Since 2004, applications received by the Planning Department for zoning permits have grown by more than 400 annually or 55%. In 2007 the Assistant Director/Zoning Administrator position was reclassified to function as a “program manager” to oversee and manage the Department’s day-to-day development review functions. This has facilitated greater collaboration with DPW Inspection Services and the Code Enforcement Office which is yielding tremendously positive results in work efficiency, communication and coordination, and customer service. In 2009 the position of Zoning Clerk was revised to “Planning & Zoning Clerk” and administrative development review responsibilities regarding issuance of Non-Applicable Determinations and Basic, Fence, Signs and Awning permits were added. This has enabled the more experienced planners to focus on larger and more complicated project review.

All of these changes have enabled the Department to keep up with the intake and processing of the growing caseload while spreading the responsibilities for larger more time-consuming projects across more people. The ongoing re-assignment of these types of projects among our staff as their capability grows is an important part of our response, and the reclassification of the current Associate Planner to Senior Planner is a manifestation of this evolution.

**Fiscal Impact:**

Sec. 5.4 (c) of the *City of Burlington Personnel Policy* states: “If an employee is promoted or is in a position that has been reclassified to a higher grade, the employee will enter that higher grade at the lowest step which ensures at least a five (5) percent increase over his or her current rate.” (emphasis added)

**Current:** Grade 17/ Step 7 - \$50,843.74      **Proposed:** Grade 19/ Step 2 - \$53,850.44

Therefore I am recommending that Mary O’Neil be placed into the position of Senior Planner – Development Review at a Grade 19/Step 2 which represents an annualized budget increase of \$3,006.70 or \$1,503.35 for the remainder of FY12.

Please feel free to contact me should you have any questions.

Thank you for your consideration.

## City of Burlington Job Description

**Position Title:** Senior Planner-Development Review

**Department:** Planning & Zoning

**Reports to:** Director of Planning & Zoning

**Pay Grade:** 19

**Job Code:** 1023

**Exempt/Non-Exempt:** Exempt

**Union:** Non-Union

**General Purpose:** This position is responsible for administering the City's development regulations. In addition this position is responsible for conducting planning and zoning technical studies. **This position acts as the Deputy Zoning Administrator.**

### Essential Job Functions:

- Receive preliminary inquiries regarding potential zoning permit and subdivision applications in the mail, by telephone and by walk-in clients.
- Advise applicants on applicable regulations.
- Assist customers with application submission.
- Process permit applications subject to administrative review
- Conduct site visits as required.
- **Prepare findings of facts on projects for Design Advisory Board, Development Review Board and City Council as applicable.**
- Attend and make presentations at board, commission and neighborhood meetings
- **Issue permits with conditions as approved.**
- **Administer City's Impact Fee Regulations.**
- Assist in oversight of compliance with zoning regulations and permit conditions.
- **Testify as expert witness in Act 250 and court cases.**
- Respond to public and media inquiries regarding specific development projects and department functions and policies.
- **Draft zoning ordinance amendments in accordance with State statutes.**
- **Perform planning & zoning technical studies, including inventory of alternatives, analysis and report preparation in response to policy changes of the Planning Commission and City Council.**
- **Perform historic preservation evaluations of sites and structures, including preparation of written reports.**
- **Manage other projects as assigned by the Director including but not limited to, preparation of public education materials and department budgets, grant-writing, preparation of graphic presentations, development caseload summaries, preparation of historic preservation site and structure evaluations, etc.**
- Use City's integrated land records and permit system.

**Qualifications/Basic Job Requirements:**

- Undergraduate degree in city/regional planning or a related field; and a minimum of three years relevant experience, including at least two year of zoning administration required.
- American Institute of Certified Planners certification preferred.
- Ability to obtain and maintain a valid Vermont State Driver's License required.
- Knowledge of project management principles and procedures required.
- Ability to accurately, calculate, record and maintain financial records for all transactions.
- Ability to appropriately apply local and state statutes and planning law required.
- Ability to work effectively with project applicants, city boards and commissions, the public in a professional and courteous manner required.
- Ability to write and speak clearly and concisely.
- Ability to work independently.
- Ability to operate personal computer in a Windows based environment required.
- Ability to efficiently produce work using word processing, spreadsheet and permitting software required.

**Physical & Mental/Reasoning Requirements; Work Environment:**

These are the physical and mental/reasoning requirements of the position as it is typically performed. Inability to meet one or more of these physical or mental/reasoning requirements will not automatically disqualify a candidate or employee from the position. Upon request for a reasonable accommodation, the City may be able to adjust or excuse one or more of these requirements, depending on the requirement, the essential function to which it relates, and the proposed accommodation.

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| <input checked="" type="checkbox"/> face-to-face contact                 | <input type="checkbox"/> mechanical equipment   | <input type="checkbox"/> hazardous materials                          |

inside

electrical equipment

dirt/dust

**Supervision:**

Directly Supervises:

Indirectly Supervises:

**Disclaimer:**

The above statements are intended to describe the general nature and level of work being performed by employees to this classification. They are not intended to be construed as an exhaustive list of all responsibilities, duties and/or skills required of all personnel so classified.

**Approvals:**

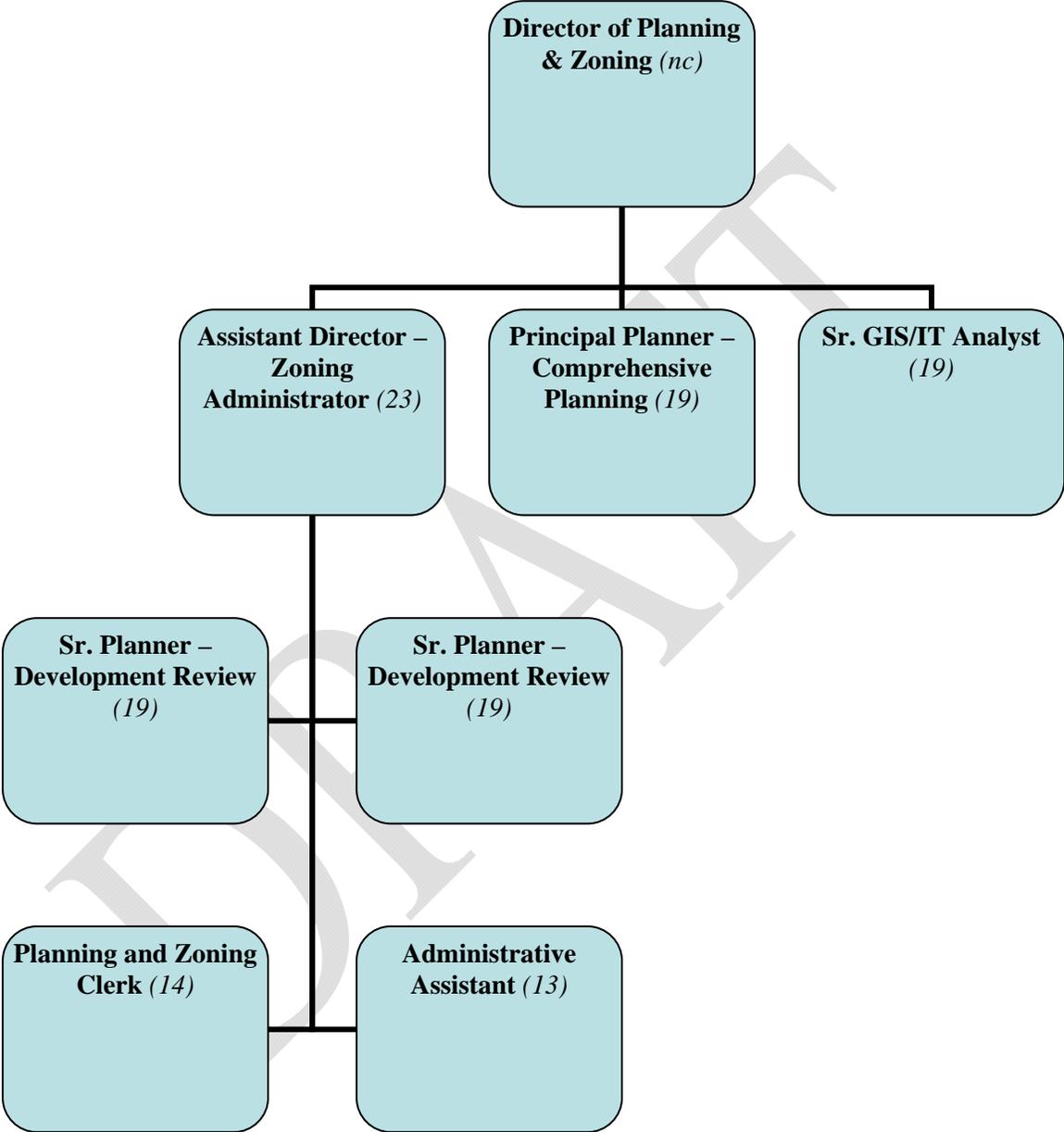
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Employee: \_\_\_\_\_ Date: \_\_\_\_\_

City of Burlington  
Dept. of Planning & Zoning

**Organizational Chart by Functional Area - Proposed**



**Bold** – proposed, 8.0 FTE  
( ) – Job description pay grade

## City of Burlington Job Description

**Position Title: Associate Planner**

**Department: Planning and Zoning**

**Reports to: Assistant Director**

**Pay Grade: 17**

**Job Code: 219**

**Exempt/Non-Exempt: Exempt**

**Union: Non-Union**

**General Purpose:** Administers the City's Zoning Ordinances. Responsibilities include processing zoning and subdivision applications, assisting with the monitoring of enforcement and compliance activities; assisting with research and drafting of zoning amendments and providing staff and technical support for review boards and the Planning Commission.

**Essential Job Functions:** (This section outlines the fundamental job functions that must be performed in this position. The related job requirements and physical, mental and reasoning requirements outlined in the next two sections state the underlying requirements that an employee must meet in order to perform these essential functions. The three sections together describe the essential functions of this position)

- Assist with administration of City's Impact Fee Ordinance.
- Process zoning permit applications.
- Use computerized land records and permitting system.
- Assist with long-range planning studies, data collection and research. Includes preparation of zoning and development regulations, and application for and administration of grants.
- Prepare and compile staff recommendations (approval/denial) and project modification based upon regulatory requirements relative to specific applications before the Design Advisory Board and the Development Review Board.
- Represent the Department on planning and zoning issues to various committees, boards, neighborhood groups and individuals as directed.
- Respond to public inquiries on land use and zoning issues; maintain positive public relations in provision of services, and in mediating potential disputes between applicants and affected residents.
- Assist with administration of City's Impact Fee Ordinance.

### **Qualifications/Basic Job Requirements:**

- Bachelors Degree in city/regional planning or related field and two years experience in city or regional planning, landscape architecture, or a related field required; or a high school diploma or equivalent and six years experience in city or regional planning, landscape architecture, or a related field required.
- Ability to efficiently produce work using word processing, spreadsheet, and permitting software required.
- Demonstrated knowledge of drafting and graphic skills preferred.

- Ability to prioritize and assign administrative directions pertaining to zoning administration.
- Ability to learn and apply departmental operations, procedures and policies, City Code of Ordinances, and applicable state and federal regulations required.
- Knowledge of planning and zoning management including administration and enforcement.
- Ability to apply urban design principles and guidelines.
- Ability to understand state enabling legislation and draft zoning ordinance amendments.
- Knowledge of long-range planning, including ability to conduct research.
- Ability to establish and maintain effective employee and public relations, including the ability to mediate conflicts that may arise between applicants and affected residents.
- Ability to coordinate with other City departments to facilitate application processing, interdepartmental work efforts, problem-solving and planning activities.

**Physical & Mental/Reasoning Requirements; Work Environment:**

These are the physical and mental/reasoning requirements of the position as it is typically performed. Inability to meet one or more of these physical or mental/reasoning requirements will not automatically disqualify a candidate or employee from the position. Upon request for a reasonable accommodation, the City may be able to adjust or excuse one or more of these requirements, depending on the requirement, the essential function to which it relates, and the proposed accommodation. The position works in a standard office environment; field work and site visits, as well as evening work, are typically required.

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Department Head: \_\_\_\_\_

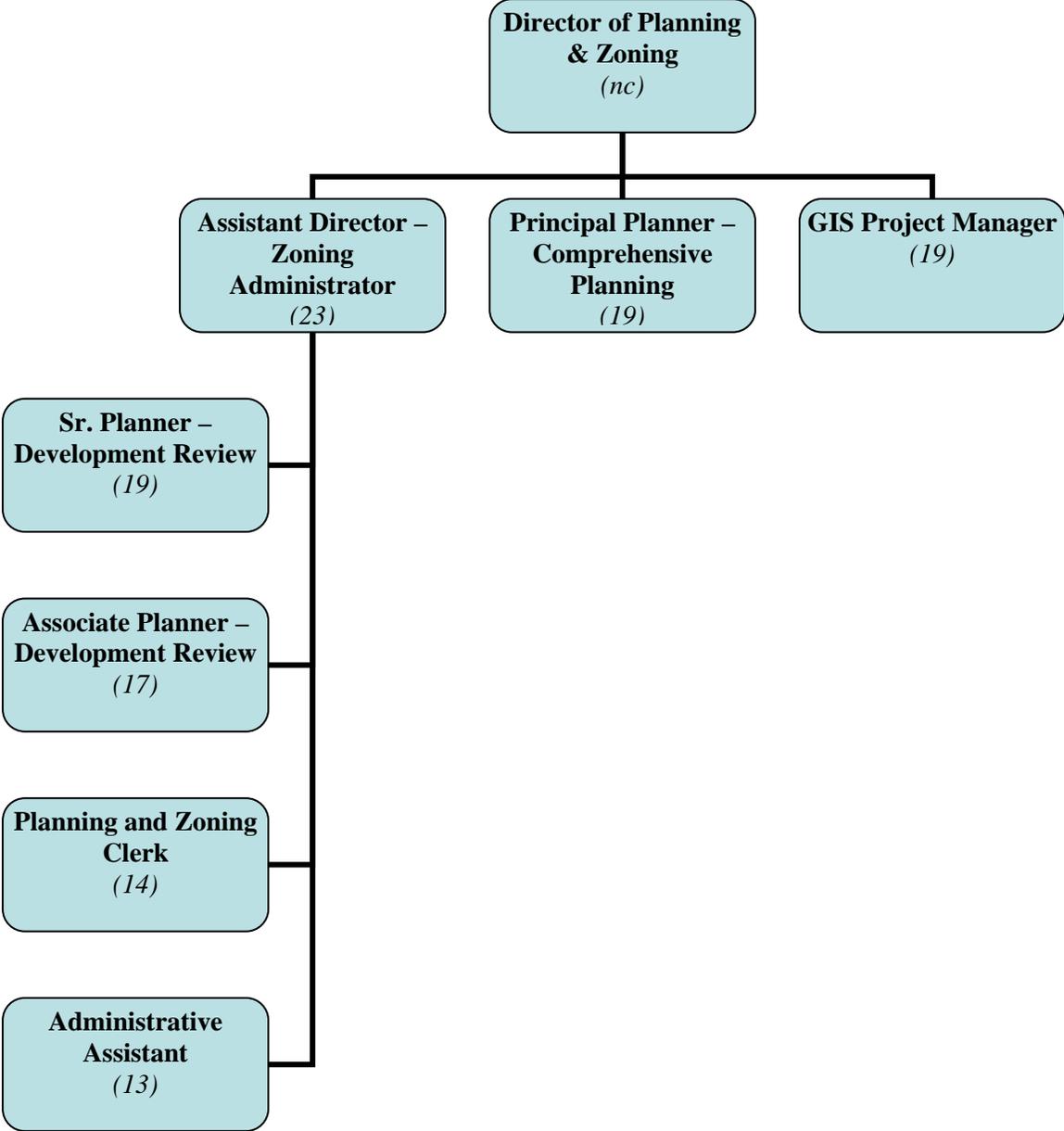
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Date: \_\_\_\_\_

City of Burlington  
Dept. of Planning & Zoning

**Organizational Chart by Functional Area - Current**



**Bold** – currently filled job descriptions, 8.0 FTE  
( ) – Job description pay grade