Regular Meeting
Burlington Planning Commission
March 8, 2022, 6:30 P.M.
Remote & Virtual Meeting via Zoom
In-Person Option Available:
Bushor Conference Room (Room 102), 1st Floor of City Hall, 149 Church St.

To Join the Meeting on a Computer
Link: https://us02web.zoom.us/j/82330021356

To Join the Meeting on a Phone
Number: +1 312 626 6799  Meeting ID: 823 3002 1356

AGENDA

I. Agenda

II. Public Forum  See details on pg 3 of packet for participating remotely.

III. Chair’s Report

IV. Director’s Report

V. Proposed CDO Amendment: Interim Emergency Shelters (30 minutes)
The Commission will receive a request and draft amendment from the Community & Economic Development Office regarding a proposed Comprehensive Development Ordinance amendment regarding standards for Emergency Shelters in the city.

Staff Recommendation: Ask questions and provide feedback on the draft amendment. Approve warning of public hearing for April meeting, with additional discussion possible at March 22 meeting.

VI. Proposed CDO Amendment: Burlington High School Zoning (30 minutes)
The Commission will review a draft amendment to the Comprehensive Development Ordinance that is responsive to the request by BSD to reconsider the zoning for the BHS campus on Institute Road.

Staff Recommendation: Ask questions and provide feedback on the draft amendment. Approve warning of public hearing for April meeting, with additional discussion possible at March 22 meeting.

VII. Commissioner Items
a. Upcoming Meetings will be hybrid– March 22 and April 12 at 6:30pm
b. Committee Reports
   i. Ordinance Committee- March 3
VIII. Minutes & Communications
   a. The minutes of the February 23, 2022 meeting are enclosed in the agenda packet
   b. Communications are enclosed in the agenda packet

IX. Adjourn
Guidance for Participating in a Virtual Planning Commission Meeting

As social distancing measures to preserve public health and safety continue to be required to prevent the spread of COVID-19, or are recommended as a standard practice, the Office of City Planning will be supporting the Planning Commission to conduct their meetings online via Zoom. Here is information about how to join a virtual meeting, and what to expect while participating.

General Guidance for Public Participation

Please remember that in this digital meeting environment, meetings are open to the public and anyone may be watching or listening even if you cannot see them. Meetings will be recorded, and both the recording and chat content of the meeting will be maintained as a public record.

Please ensure your display photo and screen name are professional, such as using your first and last name. Please test your audio and video prior to the start of a meeting, and familiarize yourself with how to join a meeting by your chosen method. And finally, please be patient with us. Technology doesn’t always work as planned, and we are all learning how to hold a successful virtual meeting!

How to Join a Virtual Meeting

Zoom allows participation via either computer or telephone. Each agenda for a meeting that will be conducted virtually will include details about how to join via either of these options, including a web address, phone number, Meeting ID, and password.

If you participate via computer, you have the option of seeing Commissioner videos and any presentation materials that may be shared. If you use either a standard phone or cell phone to call in, you will only hear the audio portion of the meeting. If you join via a smartphone, you may have the option to download the Zoom app, which will enable you to see and hear the meeting.

How to Participate in a Virtual Meeting

During meetings, only Planning Commission members and limited staff members will be viewed on video. Members of the public attending a meeting will be muted, except when invited to speak during public forum or a public hearing. Whether members of the public can speak at other times during the meeting is the discretion of the Chair.

If you want to speak during public forum, please take the following steps to assist us in making this process run as smoothly as possible:

- Email staff at mtuttle@burlingtonvt.gov by 5pm on the day before a meeting to indicate your interest in speaking. You do not need to provide your comments. Staff will enable your microphone as your name is called from a list of interested speakers.
- During a meeting, you can use the “Raise Hand” feature, or indicate in a chat message that you wish to speak during public forum. Staff will enable your microphone as your name is called.
- If you are interested in submitting your comments in writing instead of speaking during the meeting, you may do so by 5pm the day before a meeting, they will be forwarded to the Commissioners ahead of the meeting.
Members Present | A Montroll, A Friend, M Gaughan, E Lee, B Martin, B Baker
Staff Present | M Tuttle, S Gustin, K Sturtevant

I. Agenda
Call to Order | Time: 6:32pm
Agenda | No changes to the published agenda.

II. Public Forum
Name(s) | Comment
S Bushor | Who parks at the satellite lot on University Road off East Ave- need to better understand how changes to Trinity Campus will result in parking excess or deficit. Regarding Steep Slopes, will geotechnical analysis provide information about soil stability and any storm water infiltration issues?
B Headrick | Urge CATMA to do something different to bring down single occupant vehicle use. If there is no minimum parking requirement from the pending zoning amendment impacting Article 8, UVM will have no obligation to balance their parking demand and supply. What is the consequence at the DRB for permitting so that it does not burden neighborhood streets. Question the decrease in student vehicle ownership, and the number of cars that are purported to park on the street. UVM needs to bring employees in via buses.

III. Chair’s Report
A Montroll | No report.

IV. Director’s Report
M Tuttle | On 2/22 Council approved the Nature Based Climate Solutions addendum for Open Space Protection Plan, ZA-21-04, ZA-22-01, ZA-22-02, and Ch.18 amendments regarding Short Term Rentals. Council Ordinance Committee will meet on 3/2 at 5pm to discuss the parking amendment and Commission’s comments. Mayor Weinberger participated in a webinar hosted by the White House about ADUs; shared the zoning changes made in Burlington. Town Meeting Day is 3/1; will start budgeting process after the outcome of the election. New Principal Planner joining in March.
V. Burlington High School Zoning

<table>
<thead>
<tr>
<th>Motion by:</th>
<th>Second by:</th>
<th>Vote: N/A</th>
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<tbody>
<tr>
<td>Type: Discussion</td>
<td>Presented by: J Weith, M Spaulding, R Burnett, D Marshall of BHS design team</td>
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Representatives of the Burlington School District High School design team presented information about the current High School site on North Avenue, and requested a zoning amendment to facilitate the development of a new school on the same site to the east of the current facilities.

Commissioner discussion:
- A Commissioner noted that zoning for schools has been a topic of conversation for some time, and feels that we should be trying to update zoning for all of school sites. BSD is open to this in the future, but are under tight time constraints for the high school. Requesting consideration only for 52 Institute Road at this time.
- There was a discussion about whether 60 feet is the ideal height for a brand new school at the site. BSD is still in early design phases, so tried to articulate an upper limit that gives flexibility. Commission encouraged the team to provide a request that allows for flexibility and anticipates future needs to start the conversation.

VI. Annual Update: Joint Institutional Parking Management Plan

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<th>Second by:</th>
<th>Vote: N/A</th>
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<tbody>
<tr>
<td>Type: Discussion</td>
<td>Presented by: S Thibault, J Katz of CATMA</td>
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CATMA presented an annual update to the 2020-2022 Joint Institutional Parking Management Plan (JIPMP) for Champlain College, UVM, and the UVM Medical Center. Staff noted that typically the Commission provides recommendation to the DRB for approval of multi-year plans; this is the first time an annual update has been presented to the Commission. The presentation is posted online at: [PC JIPMP 2021 Annual Update Presentation_Final.pdf (burlingtonvt.gov)](PC JIPMP 2021 Annual Update Presentation_Final.pdf)

Commissioner discussion:
- A Commissioner questioned whether data indicating more people are driving alone while parking utilization is down in campus lots suggests more people parking in other places, such as free on-street parking. CATMA hypothesized that more people are driving, but driving fewer days as a result of telework/telehealth resulting in overall reduction in demand.
- There was a discussion about previous years’ high rates of driving behavior by students that lived within a half-mile of campus. Staff noted that the 2020-2022 JIPMP is linked, for comparative rates.
- There was a discussion of a change in access to student population to solicit for participation in the annual transportation survey, which resulted in lower participation rates overall.
- A Commissioner expressed ongoing lack of coordination between the institutions and the city to regulate on-street parking, and the potential to create a gap that supports continued driving.
- A Commissioner asked whether the plan looks at parking resources by sub-area, and whether there is more dynamic parking policy/pricing that could be utilized in certain parts of campuses that are oversupplied or undersupplied.
- CATMA noted the next JIPMP for 2023-2028 will be prepared by a transportation consultant, and will begin in a few months.
VII. **Proposed CDO Amendment: ZA-22-03 Steep Slopes**

<table>
<thead>
<tr>
<th>Approve the Municipal Bylaw Amendment Report and warn for public hearing, with an updated map to include the 50ft buffer around the identified steep slopes.</th>
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<tr>
<td>Motion by: E Lee</td>
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<td>Type: Discussion</td>
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S Gustin presented an overview of the amendment, and the Ordinance Committee’s recommendation to map slopes of greater than 15%, and a 50ft buffer from the top of slope, to require a geotechnical study prior to development as a condition of approval for a permit.

Commissioner discussion:
- A Commissioner asked if there are other examples of overlay zoning districts that cross zoning boundary lines. Staff noted that all of the Natural Resource Overlay districts “float” over other base zoning districts.

VIII. **Commissioner Items**

- Next meetings are March 8 and 22, 6:30pm

IX. **Minutes and Communications**

<table>
<thead>
<tr>
<th>Action: Approve the minutes and accept the communications</th>
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<td>Motion by: A Friend</td>
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Minutes Approved: February 8, 2022

X. **Adjourn**

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<thead>
<tr>
<th>Adjournment</th>
<th>Time: 8:15pm</th>
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<tr>
<td>Motion: B Martin</td>
<td>Second: B Baker</td>
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MEMORANDUM

TO: City of Burlington Planning Commission Chair
    Town of Shelburne Planning Commission Chair
    Town of Colchester Planning Commission Chair
    Town of Williston Planning Commission Chair
    City of Winooski Planning Commission Chair
    Town of Essex Planning Commission Chair
    Village of Essex Junction Planning Commission Chair
    Charlie Baker, Chittenden County Regional Planning Commission
    VT Department of Housing and Community Development

FROM: Kelsey Peterson, City Planner

SUBJECT: Proposed Land Development Regulation Amendments; Public Hearing

DATE: February 28, 2022

Enclosed please find a series of proposed amendments to the City of South Burlington’s Land Development Regulations, as well as a report from the Planning Commission, as required under Chapter 117. The Planning Commission will hold a public hearing on these amendments on Tuesday, March 22, 2022 at 7:00 pm in person and via Zoom.

Participation options:
- In Person: City Hall Auditorium, 180 Market Street
- Interactive Online: https://zoom.us/j/99937091885
- Telephone: 1 (929) 205 6099; Meeting ID: 999 3709 1885

A clean and redline version of the proposed amendments are posted on the City’s website.

Feedback on the draft amendments is welcome, either at the hearing, or in writing in advance of the hearing date. Should you have any questions, feel free contact the Department of Planning & Zoning.
PROPOSED AMENDMENTS to the SOUTH BURLINGTON LAND DEVELOPMENT REGULATIONS

Public Hearing Tuesday, March 22, 2022 at 7:00 pm

PLEASE TAKE NOTICE that the Planning Commission will hold a public hearing on Tuesday, March 22, 2022 at 7:00 PM to consider amendments to the Land Development Regulations. The amendments affect all parts of the City unless otherwise specified below. The hearing will be held in person and remotely via Zoom. Participation options:

- In Person: City Hall Auditorium, 180 Market Street
- Interactive Online: https://zoom.us/j/99937091885
- Telephone: (929) 205-6099; Meeting ID: 999 3709 1885

The purpose of the hearing is to consider the following:

A. LDR-22-01: Establish a General Planned Unit Development Type for new PUDs and amendments to existing PUDs (Article 15.C, Section 3.07)

B. LDR-22-02: Establish Site Amenity requirements for new development, expansions, or residential conversions subject to site plan review; add additional allowable Site Amenity types, and allow partial credit to Site Amenity and Civic Space requirements for nearby publicly-accessible civic spaces & parks (Sections 14.06, 15.A.16; Article 11.B)

C. LDR-22-03: Augment Site Plan review standards of Relationship of Structures to the Site, and of Relationship of Structures and Site and to Adjoining Area (Section 14.06).

D. LDR-22-04: Minor and technical amendments to include:

  a. Adjust Master Plan applicability for single-user lots (Article 15.C)
  b. Definitions updates and corrections (Sections 2.02, 8.08)

Copies of the proposed amendments are available for inspection at the Department of Planning & Zoning, City Hall, 3rd Floor, 180 Market Street, and on the city website at www.sbvt.gov.

Jessica Louisos, Planning Commission Chair
March 3, 2022
South Burlington Planning Commission
Proposed Land Development Regulations
Amendment & Adoption Report
Planning Commission Public Hearing Tuesday, March 22, 2022, 7:00 pm

In accordance with 24 V.S.A. §4441, the South Burlington Planning Commission has prepared the following report regarding the proposed amendments and adoption of the City’s Land Development Regulations.

Outline of the Proposed Overall Amendments

The South Burlington Planning Commission will hold a public hearing on March 22, 2022 at 7:00 pm, in person and via Zoom electronic platform, to consider the following amendments to the South Burlington Land Development Regulations:

A. LDR-22-01: Establish a General Planned Unit Development Type for new PUDs and amendments to existing PUDs
B. LDR-22-02: Establish Site Amenity requirements for new development, expansions, or residential conversions subject to site plan review; add additional allowable Site Amenity types, and allow partial credit to Site Amenity and Civic Space requirements for nearby publicly-accessible civic spaces & parks
C. LDR-22-03: Augment Site Plan review standards of Relationship of Structures to the Site, and of Relationship of Structures and Site and to Adjoining Area.
D. LDR-22-04: Minor and technical amendments to include:
   - Adjust Master Plan applicability for single-user lots
   - Definitions updates and corrections

Brief Description and Findings Concerning the Proposed Amendments

A. LDR-22-01: Establish a General Planned Unit Development Type for new PUDs and amendments to existing PUDs

Brief Description of the Proposed Amendment

This amendment would create a “General Planned Unit Development” Type to accompany the existing “Traditional Neighborhood” and “Conservation” PUD types.
The General PUD would be permissible in zoning districts where the other two PUD types are not available as options and for minor amendments to pre-existing PUDs approved under prior regulations.

The General PUD would allow the Development Review Board to vary site plan, subdivision, and other dimensional and design standards of the Land Development Regulations in order to better achieve stated goals enumerated therein based on the needs of the site. The Development Review Board may, for identified purposes, permit modifications to lot sizes, arrangement of buildings and lots, building setbacks and heights, and re-allocation of density within the PUD. The General PUD does not authorize increases in lot coverage, development density not otherwise allowed in the Regulations, additional land uses, modification to the Environmental Protection Standards, or non-dimensional / design standards such as inclusionary zoning or energy codes.

Findings Concerning the Proposed Amendments

The proposed amendments have been reviewed by the Planning Commission in the context of the text, goals, and objectives of the City of South Burlington’s Comprehensive Plan, adopted February 1, 2016. The Commission has addressed the following as enumerated under 24 VSA 4441(c):

“…The report shall provide a brief explanation of the proposed bylaw, amendment, or repeal and shall include a statement of purpose as required for notice under section 4444 of this title, and shall include findings regarding how the proposal:

1. Conforms with or furthers the goals and policies contained in the municipal plan, including the effect of the proposal on the availability of safe and affordable housing.

The proposed General PUD is intended support the land use pattern envisioned through the 2016 Comprehensive Plan. The General PUD uses the City’s subdivision, site plan, zoning district and general standards as the default and provides some flexibility in their application to meet site-specific needs. A context assessment of the surrounding areas is required and provides direction in the application of the standards. The General PUD will allow for site design and layout that supports infill development, including housing, in difficult sites and where the Development Review Board finds the intent of the Regulations are met. Relevant Comprehensive Plan Objectives & Strategies:

Objective 3. Foster the creation and retention of a housing stock that is balanced in size and target income level, is representative of the needs of households of central Chittenden County, and maintains an efficient use of land for use by future generations.

Objective 5. Build and reinforce diverse, walkable neighborhoods that offer a good quality of life by designing and locating new and renovated housing in a context-sensitive manner that will facilitate development of a high-density, City Center, mixed used transit corridors, and compact residential neighborhoods.

Objective 6. Continue to be an economic hub for the region consistent with the land use goals of the city.

Objective 16: Build and reinforce diverse, accessible neighborhoods that offer a good quality of life by designing and locating new and renovated development in a context-sensitive manner.
Objective 31. Conserve, restore and enhance biological diversity within the City, through careful site planning and development that is designed to avoid adverse impacts to critical wildlife resources, and that incorporates significant natural areas, communities and wildlife habitats as conserved open space.

Objective 39: The majority of all new development will occur within the Shelburne Road, Williston Road, and Kennedy Drive Corridors, and other areas within the Transit service area.

Strategy 8. Explore innovative land development regulations that allow for a range of residential building and neighborhood types, including but not limited to cottage housing, clustered housing and infill residential development.

Ongoing Activity 1: Continue to refine the City’s Land Development Regulations to promote the Plan’s goals and objectives.

Ongoing Activity 15: Continue to encourage and consider incentivizing neighborhoods that use a mix of housing types and integrate different types next to each other, rather than creating monoculture of one type of housing.

2. **Is compatible with the proposed future land uses and densities of the municipal plan.**

The proposed amendments allow the DRB to vary dimensional and design standards within a General PUD. They do not, however, alter the proposed or allowed land uses or densities identified in the Comprehensive Plan.

3. **Carries out, as applicable, any specific proposals for any planned community facilities.**

The proposed amendments do not affect any specific proposals for planned community facilities.

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**B. LDR-22-02: Establish Site Amenity requirements for new development, expansions, or residential conversions subject to site plan review; add additional allowable Site Amenity types, and allow partial credit to Site Amenity and Civic Space requirements for nearby publicly-accessible civic spaces & parks**

**Brief Description of the Proposed Amendment**

This amendment would establish a common minimum requirement for new development or residential conversions to include Site Amenities (private or common outdoor spaces for use by residents/employees/visitors). Minimum amounts are 6% of non-residential building area or between 60 and 100 s.f. per dwelling unit (depending on building size); both figures are drawn from similar standards existing within the City Center Form Based Code. Site Amenity types are based on those created for the City Center Form Based Code. Two additional types are proposed: indoor-outdoor common area, and private balcony/porch.

The amendment would allow a Park or Civic Space that is located within 500 feet to count towards 50% of the minimum requirement if that distance is a safe, walkable connection.
The amendment would also create allowances related to minimum Civic Space associated with major subdivisions. The minimum Civic Space requirement is proposed to be allowed to be off-site, with 500 feet (safe & walkable) where the parcel to be subdivided is 6 areas in size or less.

Findings Concerning the Proposed Amendments

The proposed amendments have been reviewed by the Planning Commission in the context of the text, goals, and objectives of the City of South Burlington’s Comprehensive Plan, adopted February 1, 2016. The Commission has addressed the following as enumerated under 24 VSA 4441(c):

“...The report shall provide a brief explanation of the proposed bylaw, amendment, or repeal and shall include a statement of purpose as required for notice under section 4444 of this title, and shall include findings regarding how the proposal:

1. Conforms with or furthers the goals and policies contained in the municipal plan, including the effect of the proposal on the availability of safe and affordable housing.

The proposed amendments are identified in multiple places in the 2016 Comprehensive Plan. Specific Goals and Objectives furthered by these amendments:

Objective 5. Build and reinforce diverse, walkable neighborhoods that offer a good quality of life by designing and locating new and renovated housing in a context-sensitive manner that will facilitate development of a high-density, City Center, mixed-used transit corridors, and compact residential neighborhoods.

Objective 14. Seek a livable balance between public, commercial, and civic activity and private tranquility and promote the health, peace, and well-being of residents in their daily lives.

Objective 15. For all new development, public and private, consider accessibility for users of differing ages and physical abilities

Objective 16. Build and reinforce diverse, accessible neighborhoods that offer a good quality of life by designing and locating new and renovated development in a context-sensitive manner.

Objective 30. Proactively plan for a network of interconnected and contiguous open spaces to conserve and accommodate ecological resources, active and passive recreation land, civic spaces, scenic views and vistas, forests and productive farmland and primary agricultural soils.

Strategy 35. Take into account the quality of life of residents, employees, and visitors in the development of City policies, plans, projects, and regulations.

Strategy 68. Redefine open space in new developments such that usable, quality open space shall be required. Qualifying open space should include civic spaces, recreation, wildlife habitat, and usable agricultural lands.

Ongoing Action 11. Continue to build and reinforce diverse, walkable neighborhoods that offer a good quality of life by designing and locating new and renovated housing in a context-sensitive manner.
Safe, immediate access to outdoor spaces – private or shared – supports affordability by assuring that all residents are able to access the outdoors without having to own a car or use other forms of transportation. Further, the establishment of site amenities does not require a reduction in density. Additionally, most new housing in the past decade or more has included such amenities.

2. **Is compatible with the proposed future land uses and densities of the municipal plan.**

   The Planning Commission finds the proposed amendment to be compatible with the proposed future land uses and densities of the Comprehensive Plan.

3. **Carries out, as applicable, any specific proposals for any planned community facilities.**

   The proposed amendments do not affect any specific proposals for planned community facilities.

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**C. LDR-22-03: Augment Site Plan review standards of Relationship of Structures to the Site, and of Relationship of Structures and Site and to adjoining Area.**

**Brief Description of the Proposed Amendment**

The proposed amendments would provide direction to applicants and the Development Review Board on applying these standards. This includes direction in consideration of Street Frontage, Building Placement and Orientation, Contract of Scale, Pedestrian Orientation, Pattern & Rhythm, Architectural Features, and Privacy.

**Findings Concerning the Proposed Amendments**

The proposed amendments have been reviewed by the Planning Commission in the context of the text, goals, and objectives of the City of South Burlington’s Comprehensive Plan, adopted February 1, 2016. The Commission has addressed the following as enumerated under 24 VSA 4441(c):

“...The report shall provide a brief explanation of the proposed bylaw, amendment, or repeal and shall include a statement of purpose as required for notice under section 4444 of this title, and shall include findings regarding how the proposal:

1. **Conforms with or furthers the goals and policies contained in the municipal plan, including the effect of the proposal on the availability of safe and affordable housing.**

   The proposed amendments provide greater clarity to applicants and the DRB on application of the existing standards in the Regulations. The proposed amendments do not directly impact the availability of safe and affordable housing. However, the amendments will foster more context-sensitive design in new development, which in turn supports walkability and, indirectly, overall safety of environments through greater pedestrian use.

   **Specific Goals and Objectives furthered by these amendments:**
Objective 5. Build and reinforce diverse, walkable neighborhoods that offer a good quality of life by designing and locating new and renovated housing in a context-sensitive manner that will facilitate development of a high-density, City Center, mixed used transit corridors, and compact residential neighborhoods.

Objective 16: Build and reinforce diverse, accessible neighborhoods that offer a good quality of life by designing and locating new and renovated development in a context-sensitive manner.

Strategy 35. Take into account the quality of life of residents, employees, and visitors in the development of City policies, plans, projects, and regulations.

2. Is compatible with the proposed future land uses and densities of the municipal plan.

   The Planning Commission finds the proposed amendment to be compatible with the proposed future land uses and densities of the Comprehensive Plan.

3. Carries out, as applicable, any specific proposals for any planned community facilities.

   The proposed amendments do not affect any specific proposals for planned community facilities.

D. LDR-22-04 Minor and technical amendments to include:
   • Adjust Master Plan applicability for single-user lots
   • Definitions updates and corrections

Brief Description of the Proposed Amendment
The amendments listed above represent minor adjustments to the regulations that promote consistency in approach, policy, and organization within the Land Development Regulations.

Findings Concerning the Proposed Amendments
The proposed amendments have been reviewed by the Planning Commission in the context of the text, goals, and objectives of the City of South Burlington’s Comprehensive Plan, adopted February 1, 2016. The Commission has addressed the following as enumerated under 24 VSA 4441(c):

“...The report shall provide a brief explanation of the proposed bylaw, amendment, or repeal and shall include a statement of purpose as required for notice under section 4444 of this title, and shall include findings regarding how the proposal:

1. Conforms with or furthers the goals and policies contained in the municipal plan, including the effect of the proposal on the availability of safe and affordable housing.

   The Comprehensive Plan supports consistency and streamlining of regulations.

   Strategy 15. Conduct a comprehensive analysis of City regulations relating to permitting with an eye toward ways to eliminate outdated or duplicative requirements and to further streamline the process of
obtaining needed permits with a specific focus on improving predictability of the process. Move as much of the permitting process online as is viable to improve customer access and service.

2. **Is compatible with the proposed future land uses and densities of the municipal plan.**

   The Planning Commission finds the proposed amendment to be compatible with the proposed future land uses and densities of the Comprehensive Plan.

3. **Carries out, as applicable, any specific proposals for any planned community facilities.**

   The Planning Commission finds the proposed amendment will not have any impact on planned community facilities.
2 DEFINITIONS

2.02 Specific Definitions

... Inclusionary ownership unit. A dwelling unit:

1. The sales price for which does not exceed the maximum price for a household with a gross annual income that does not exceed 80% of the median income for the Burlington-South Burlington Metropolitan Statistical Area (MSA), as calculated using a United States Department of Housing and Urban Development (HUD) formula that defines a unit-specific household size based on dwelling unit size (i.e. number of bedrooms); and

2. Which is owned by its inhabitants, whose gross annual household income at time of purchase does not exceed 100% of the median income for the Burlington-South Burlington MSA, adjusted for the household size; and

3. The sales price for which shall remain perpetually affordable to households with a gross annual household income that does not exceed 80% of the median income for the Burlington-South Burlington MSA;

Note the unit-specific household size based on the number of bedrooms and the actual household size of the purchasing household do not have to be the same.

Inclusionary rental unit. A dwelling unit:

1. The rent for which does not exceed the maximum price calculated for a household with a gross annual income that does not exceed 80% of the median income for the Burlington-South Burlington MSA, to which the unit is targeted, as calculated using a HUD formula that defines a unit-specific household size based on dwelling unit size (i.e. number of bedrooms) to which the inclusionary unit is targeted; and

2. Which is rented by inhabitants whose gross annual household income at time of initial occupancy does not exceed 80% of the median income for the Burlington-South Burlington MSA, adjusted for the household size; and

3. The rent for which shall remain perpetually affordable to households with a gross annual household income that does not exceed 80% of the median income for the Burlington-South Burlington MSA;

Note the unit-specific household size based on the number of bedrooms and the actual household size of the renting household do not have to be the same.

Inclusionary Unit. A dwelling unit that is either an Inclusionary Ownership Unit or an Inclusionary Rental Unit.

...
3 GENERAL PROVISIONS

3.07 Height of Structures

D. Waiver of Maximum Height Requirements

(1) Larger Rooftop Apparatus. Larger Rooftop apparatus, as defined under Heights in these Regulations, and steeples for places of worship that are taller than normal height limitations established in Table C-2 above may be approved by the Development Review Board as a conditional use subject to the provisions of Article 14, Conditional Uses.

(2) R12, IA, PR, MU, C1-Air, C1-LR, AR, SW, IO, C2, Mixed IC, AIR, and AIR-IND Districts.

(a) Except within a Planned Unit Development, an applicant may seek approval from the Development Review Board for the height of one or more structures to exceed the limitation set forth in Table C-2 for structures within these zoning districts. Within a Planned Unit Development, the ability of an applicant to seek approval for a structure to exceed the limitation in Table C-2 is set by PUD type.

(b) Submittal requirements. Any request for additional height shall be made in writing at the time of application for a Site Plan. The request must include the submittal of a plan(s) showing the elevations and architectural design of the structure, pre-construction grade, post-construction grade, and height of the structure, and any supplemental information the Development Review Board deems necessary in order to render a decision.

(c) Standards of Review.

(i) Demonstration of Compliance with the Provisions of Section 14.06 and 14.07; and,

(ii) Demonstration that the proposed structure will not have an undue adverse effect on scenic views from adjacent public roadways and other public rights-of-way.
8 CITY CENTER FORM BASED CODE DISTRICT

8.08 Open Space Requirements

D. General Civic Space / Site Amenity Notes

(1) In all Transect Zones, only Civic Space / Site Amenity areas meeting the requirements of Appendix F Article 11.B and this article shall count towards the minimum qualifying requirements.

(2) In all Transect Zones landscaped parking lot dividers and median strips shall not be considered qualifying Civic Space / Site Amenities. A divider between a parking lot and a qualifying street type shall be considered qualifying where applicable and allowable.
### ARTICLE 11.B Civic Space / Site Amenity Requirements

#### Accessibility / PUD Applicability

<table>
<thead>
<tr>
<th>Subdivision</th>
<th>PUD Types</th>
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<tbody>
<tr>
<td>All Subdivision</td>
<td>All Non-PUD Subdivisions</td>
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<tr>
<td>TND (8+DU/A)</td>
<td>General: All Non-PUD Subdivisions</td>
</tr>
<tr>
<td>PUD (A/B/C)</td>
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<tr>
<td>All Subdivision</td>
<td>Mixed Use: General; All Non-PUD Subdivisions</td>
</tr>
</tbody>
</table>

#### Description

Informal, primarily natural green space managed for passive or structured recreation, limited structured or unstructured events. May also include a small farm in the immediate area (street, block) within walking distance (1/4 mile), bonds, parks, or small accessory structures. Suitable for infill development in neighborhoods that lack open space. Typically located mid-block, or on a street corner. May serve as a feature within a civic space, or a building amenity.

#### Service Area

Intended to serve multiple neighborhoods located within walking or biking distance (1/2 mile) of the park. Typically located between adjoining neighborhoods. May also serve as a buffer area or pocket park; intended to serve and connect multiple neighborhoods, public spaces, facilities, and mixed use centers, as part of the City’s planned open space and recreation path network. Typically located within edge/buffer areas; may serve as a buffer area between incompatible development

#### Typical Features

Paths, trails, trees, ballfields, playgrounds, dog parks, parking areas, community gardens, seating areas, structures, washing equipment, vehicle parking limited to access points/trail heads

Path, trail, tree, small accessory structures, water features, ornamental trees, planters, seating areas, shade trees, landscaping that define the street corner.

#### Lot Size

Minimum: 3 acres

Minimum Width: 65 FT

Maximum: 120,000 SF

Minimum Width: 20,000 SF

Maximum: 60,000 SF

Minimum Width: 2,000 SF

Maximum: 20,000 SF

Minimum Width: 2,000 SF as a Civic Space

Maximum: 6,000 SF as a Civic Space

#### Lot Coverage

0% Min, 30% max

0% Min, 30% max

0% Min, 50% max

60% Min, 100% max

80% Min, 100% max

#### Notes:

Neighborhood Civic Spaces may include or incorporate stormwater management practices. Any such practice must be designed to serve the description and service intent of the applicable service space type and complement the features. The Board may exclude stormwater management practices from the calculation of minimum civic space requirements where it finds the practices to be excessive to the primary purpose of the civic space type.
<table>
<thead>
<tr>
<th>Type</th>
<th>Article of Law</th>
<th>Section</th>
<th>Description &amp; Outside FBC</th>
<th>Notes:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Civic Space / Site Amenity</td>
<td>ARTICLE 11.B</td>
<td>11.10.A.1</td>
<td>Civic Space / Site Amenity located on the subject or adjacent area.</td>
<td>No requirements.</td>
</tr>
<tr>
<td>Civic Space / Site Amenity</td>
<td>ARTICLE 11.B</td>
<td>11.10.A.3</td>
<td>Terrace may take one of the forms below.</td>
<td>No requirements.</td>
</tr>
<tr>
<td>Civic Space / Site Amenity</td>
<td>ARTICLE 11.B</td>
<td>11.10.A.4</td>
<td>Terrace shall not count as more than 50% of area.</td>
<td>No requirements.</td>
</tr>
<tr>
<td>Civic Space / Site Amenity</td>
<td>ARTICLE 11.B</td>
<td>11.10.A.5</td>
<td>Terrace shall not count as qualifying open space.</td>
<td>No requirements.</td>
</tr>
<tr>
<td>Civic Space / Site Amenity</td>
<td>ARTICLE 11.B</td>
<td>11.10.A.6</td>
<td>Terrace shall not count as more than one seating space or as more than 30% of area.</td>
<td>No requirements.</td>
</tr>
<tr>
<td>Civic Space / Site Amenity</td>
<td>ARTICLE 11.B</td>
<td>11.10.A.7</td>
<td>Terrace shall not exceed twice the area of the required open space.</td>
<td>No requirements.</td>
</tr>
<tr>
<td>Civic Space / Site Amenity</td>
<td>ARTICLE 11.B</td>
<td>11.10.A.8</td>
<td>Terrace shall exceed twice the area of the required open space.</td>
<td>No requirements.</td>
</tr>
<tr>
<td>Civic Space / Site Amenity</td>
<td>ARTICLE 11.B</td>
<td>11.10.A.9</td>
<td>Terrace shall not exceed twice the area of the required open space.</td>
<td>No requirements.</td>
</tr>
</tbody>
</table>
14 SITE PLAN and CONDITIONAL USE REVIEW

... 

14.06 General Review Standards

Except within the City Center Form Based Code District, the following general criteria and standards shall be used by the Development Review Board in reviewing applications for site plan approval. They are intended to provide a framework within which the designer of the site development is free to exercise creativity, invention, and innovation while improving the visual appearance of the City of South Burlington. The Development Review Board shall not specify or favor any particular architectural style or design or assist in the design of any of the buildings submitted for approval. The Development Review Board shall restrict itself to a reasonable, professional review, and, except as otherwise provided in the following subsections, the applicant shall retain full responsibility for design.

A. Relationship of Proposed Structures to the Site.

(1) The site shall be planned to accomplish a desirable transition from structure to site, from structure to structure, and to provide for adequate planting, safe pedestrian movement, and adequate parking areas. The DRB shall consider the following:
   (a) Street Frontage. Maintain internally-consistent building setbacks and landscaping along the street.
   (b) Building Placement, Orientation. Maintain or establish a consistent building orientation to the street and, where a prevalent pattern exists, the relationship of the building foundation to topography and grade.
   (c) Transition Contrast in Scale. Minimize and mitigate abrupt contrast in scale between existing, planned or approved, and proposed development.
   (d) Pedestrian Orientation. Improve and enhance pedestrian connections and walkability within the area proposed for development.
   (e) Solar Gain. Buildings should orient their rooflines to maximize solar gain potential, to the extent possible within the context of the overall standards of the regulations.

(2) Parking:
   (a) Parking shall be located to the rear or sides of buildings. Any side of a building facing a public street shall be considered a front side of a building for the purposes of this subsection.
   (b) The Development Review Board may approve parking between a public street and one or more buildings if the Board finds that one or more of the following criteria are met. The Board shall approve only the minimum necessary to overcome the conditions below.
      (i) The parking area is necessary to meet minimum requirements of the Americans with Disabilities Act;
      (ii) The parking area will serve a single or two-family home;
(iii) The lot has unique site conditions, such as a utility easement or unstable soils, that allow for parking, but not a building, to be located adjacent to the public street;

(iv) The lot contains one or more existing buildings that are to be re-used and parking needs cannot be accommodated to the rear and sides of the existing building(s);

(v) The principal use of the lot is for public recreation; or

(vi) The lot is located within the Mixed Industrial-Commercial Zoning District and meets the following criteria:

(I) The lot is located in an approved subdivision where the parking on each lot in the subdivision is proposed to be located between the building or buildings on each lot and the public street so that a significant greenspace surrounded by buildings may be incorporated similar to a college campus style “quad”, as detailed below.

(II) The parking on any lots that include a part of the greenspace shall be aligned in a similar fashion so that the buildings are located between the greenspace and the parking and so that the parking is located between the buildings and the public street to maintain the integrity and continuity of the greenspace.

(III) The minimum required total area of the greenspace shall be 150,000 square feet. For purposes of this subsection 14.07(B) (2)(b)(vi), “greenspace” shall be defined as a consolidated and continuous landscaped area located across more than two lots in the approved subdivision, similar in nature to a common open space, largely surrounded by buildings, but shall not include building or impervious parking areas. The greenspace may extend between buildings, but shall not extend beyond the building line of the principal building on each lot that includes a portion of the greenspace. The greenspace shall consist of pervious surfaces such as lawns, trees, plantings, wetlands, and gardens, and may include impervious landscape features, such as path networks, sculptures, gazebos, water features, footbridges, sitting areas, stone walls, and other features and amenities that may be built within and throughout the greenspace in order to create a more attractive and enjoyable environment. The area of the greenspace shall be calculated by measuring and adding the portion of the total greenspace defined on the site plan for each lot in the approved subdivision that includes a portion of the greenspace.

(vii) The lot is located within the Mixed Industrial-Commercial or Industrial & Open Space Zoning Districts, and it is clear that the circulation and layout of the lot cannot reasonably be designed in a manner to avoid conflicts between visitors / employees and the inherent operations of the use(s) on the lot;

(I) In order to further reduce the likelihood of such conflicts, this exception to the general requirements for parking is only available when the uses of the lot(s) are limited to:

1. Distribution and related storage
2. Light manufacturing
3. Manufacturing
4. Processing and Storage
5. Warehousing and Distribution

(II) The parking shall be limited as follows:

1. No more than 25% of the total parking on the lot shall be located between a public street and the building(s);
2. Parking shall be predominantly screened from the roadway with landscaping features, and separated from the roadway’s sidewalks or multi-use paths by one or more of the following Qualifying Open Spaces (as defined in Article 11.8, except for the location standards which are superseded by this subsection): Pocket/Mini Park; Wooded area; Community Garden; Enhanced Rain Garden; or Streetfront Open Space. The size of this Open Space shall be sufficient to (1) create or extend a pleasant pedestrian experience on the adjacent public sidewalk or recreation path, (2) largely screen parking from the street right-of-way, and (3) provide for additional usable open space on the parcel. The open space shall represent a minimum of 35% of the total square footage of the parking spaces (not including circulation infrastructure) proposed to be located in front of the building.

3. The minimum required landscaping budget established by the Development Review Board pursuant to Section 13.04 shall increase by a percentage that is equivalent to the percentage of the total parking that is proposed to be located between a public street and the building(s) on a lot. Of this total increased landscaping budget, the percentage that must be dedicated to installation of landscaping in the front yard shall be equivalent to the percentage of the total parking that is proposed to be located between a public street and the building(s) (e.g., if the minimum required landscaping budget before any increase was $100,000, and if 10% of the total parking for the lot is proposed to be located between a public street and the building(s), then the minimum required landscaping budget shall increase by 10%, for a new total landscaping budget of $110,000, and no less than 10% of the new total landscaping budget, or $11,000, must be dedicated to installation of landscaping in the front yard).

4. The applicant shall construct a safe, paved pedestrian access from the street to the building’s main entrance.

5. The parking layout and circulation shall not interfere with safe pedestrian access from the street to the building’s main entrance.

(c) Parking area width. Surface parking areas and affiliated drive aisles located to the side of buildings shall not exceed the width of building(s), Civic Spaces, and Site Amenities width along any street frontage. This may be calculated separately or cumulatively for corner lots. Parking approved pursuant to 14.07(B)(2)(b) shall be exempt from this subsection.

(d) For through lots, parking shall be located to the side of the building(s) or to the front of the building adjacent to the public street with the lowest average daily volume of traffic. Where a lot abuts an Interstate or its interchanges, parking shall be located to the side of the building(s) or to the front adjacent to the Interstate. Parking areas adjacent to the Interstate shall be screened with sufficient landscaping to screen the parking from view of the Interstate.

(3) Without restricting the permissible limits of the applicable zoning district, the height and scale of each building shall be compatible with its site and existing or anticipated adjoining buildings.

C. Relationship of Structures and Site to Adjoining Area.

(1) The Development Review Board shall encourage the use of a combination of common materials and architectural characteristics (e.g., rhythm, color, texture, form or detailing), landscaping, buffers, screens and visual interruptions to create attractive transitions between buildings of different architectural styles.
(2) Proposed structures shall be related harmoniously to themselves, the terrain and to existing buildings and roads in the vicinity that have a visual relationship to the proposed structures.

(3) To accomplish (1) and (2), the DRB shall consider:

(a) **Pattern and Rhythm.** Update or maintain or extend the overall pattern of development defined by the planned or existing street grid, block configurations, position and orientation of principal buildings, prevalence of attached or detached building types.

(b) **Architectural Features.** Respond to recurring or representative architectural features that define neighborhood character, without adhering to a particular architectural style.

(c) **Privacy.** Limit impacts and intrusions to privacy on adjoining properties, including side and back yard areas through context sensitive design.

D. **Civic Space Requirement**

(1) **Sites are required to include specific area for appropriate Site Amenities.** This section does not apply to projects within the City Center Form-Based Code area (which are governed by Section 8.08).

(2) **Applicability.** Applications for the following shall be required to provide Site Amenities:

(a) Any non-residential development over 5,000 SF

(b) Additions or expansions over 5,000 SF to existing non-residential structures

(c) Any residential development, including conversion of non-residential structures to residential use

(3) **The required area shall be:**

(a) For Non-Residential development, a minimum of 6% of non-residential building gross floor area.

(b) For Residential development, determined by number of units as:

\[(\text{i}) \quad \text{For less than 10 units, 100 square feet per unit;}\]
\[(\text{ii}) \quad \text{For 10 to 19 units, 85 square feet per unit;} \text{ or}\]
\[(\text{iii}) \quad \text{For 20 or more units, 60 square feet per unit.}\]

(4) The DRB may, in its discretion, provide credit for up to 50% of the required Site Amenity area if the Applicant demonstrates a safe, walkable connection to existing Civic Space or public park accessible by the general public and located within five-hundred (500) feet walking distance of at least one pedestrian access point to all buildings on the lot and does not require crossing a four-lane road.

(a) The DRB may, in its discretion, give partial credit for Civic Space if not all buildings have access points within five-hundred (500) feet of the Civic Space.

(b) The DRB cannot reduce the remaining 50% of the Site Amenity requirement.

14.07 **Specific Review Standards**

In all Zoning Districts and the City Center Form Based Codes District, the following standards shall apply:

A. **Environmental Protection Standards.** All proposed development shall be subject to the applicable requirements of Article 12, Environmental Protection Standards.
B. **Site Design Features.** All proposed development shall comply with standards for the placement of buildings, parking and loading areas, landscaping and screening, open space, stormwater, lighting, and other applicable standards related to site design pursuant to these Land Development Regulations.

C. **Access and Circulation.** All proposed development shall comply with site access and circulation standards of Section 15.A.14.

D. **Transportation Demand Management (TDM) [reserved]**

E. **Building Form.** Development within the City Center Form Based Code District, the Urban Design Overlay District, and other districts with supplemental building form standards shall adhere to the standards contained therein.

F. **Streetscape Improvements.** A proposed new construction or extension/expansion of an existing structure exceeding the thresholds listed in either (a) Section 14.09(B) or (b) Section 8.11(D) within the City Center Form Based Code, or Section 3.11(D) in all other zoning districts, shall be required to upgrade adjacent sidewalks, greenbelts, and related street furniture (trees, benches, etc.) to the standards contained within the applicable Street Type and Building Envelope Standard. Nothing in this subsection shall be construed to limit requirements for additional upgrades as necessary to meet the requirements of these Regulations.

F. **Access to Abutting Properties.** The reservation of land may be required on any lot for provision of access to abutting properties whenever such access is deemed necessary to reduce curb cuts onto an arterial or collector street, to provide additional access for emergency or other purposes, or to improve general access and circulation in the area.

G. **Utility Services.** Electric, telephone and other wire-served utility lines and service connections shall be underground insofar as feasible and subject to state public utilities regulations. Any utility installations remaining above ground shall be located so as to have a harmonious relation to neighboring properties and to the site. Standards of Section 15.A.18, Infrastructure, Utilities, and Services, shall also be met.

H. **Disposal of Wastes.** All dumpsters and other facilities to handle solid waste, including compliance with any recycling, composting, or other requirements, shall be accessible, secure and properly screened with opaque fencing to ensure that trash and debris do not escape the enclosure(s). Small receptacles intended for use by households or the public (ie, non-dumpster, non-large drum) shall not be required to be fenced or screened.
15.A SUBDIVISION REVIEW

15.A.16 Blocks and Lots

B. Lots. All lots must be laid out to logically relate to topography and their intended use or purpose. Building lots must be laid out within existing and planned street and block configurations, in such a way that they can be developed in full compliance with their intended use and these Regulations. Unless otherwise specified under these Regulations as applicable to the subdivision:

1. All proposed lots must be numbered, as shown on subdivision plans and plats.

2. The arrangement and configuration of lots must allow for the further subdivision of any remaining developable land on the tract or parcel to be subdivided. Where proposed building lots exceed minimum lot area requirements, the DRB may require that such lots be configured and developed in a manner that allows for further subdivision and infill development.

3. Building or other lots for existing or planned public facilities or uses, including public parks, as shown on the City’s Official map or proposed for dedication to the City, must be labeled and shown as such on the subdivision plan and plat.

4. Unless otherwise specified under these Regulations, a minimum of ten percent (10%) of the total buildable area within the developed portion of any Major Subdivision exceeding two acres in size must be allocated to functionally integrated civic space lots, as shown on the subdivision plan and plat.

   a. Required civic space must incorporate one or more allowed Civic Space Types under Article 11.B and meet associated type requirements.

   b. Designated civic space lots must have frontage on or pedestrian access from an abutting street. The entrance to a civic space that does not front on an abutting street must be readily visible, apparent, and accessible from the street.

   c. Civic space lots must be identified on the subdivision plat, and in associated legal documents, as Civic Space lots to be maintained and managed in single or common ownership.

   d. For Major Subdivisions under six (6) acres, the DRB may, in its discretion, waive up to 50% of the required Civic Space area if the Applicant demonstrates a safe, walkable connection to existing publicly accessible Civic Space located within five-hundred (500) feet walking distance of at least one pedestrian access points to all buildings in the subdivision and does not require crossing a four-lane road.

      i. The DRB may, in its discretion, give partial credit for Civic Space if not all buildings have access points within five-hundred (500) feet of the Civic Space.

      ii. The DRB cannot reduce the remaining 50% of the Civic Space requirement.

   . . .
15.B  MASTER PLAN REVIEW

... 15.B.02  Applicability
...

15.B.02  Applicability

(A)  Required Approval. Master plan review and approval by the DRB is required prior to preliminary subdivision review under Article 15.A, or site plan review under Article 14, as applicable, for:

(1)  Any Major Subdivision involving four (4) or more acres, except for any portion of Transect Zone Subdivision within the City Center Form Based Code District.

(2)  Any land subdivision or site development proposed to occur over two (2) or more phases, or three (3) or more years.

(3)  A Planned Unit Development under Article 15.C unless, at applicant request, Master Plan review is waived by the DRB for a PUD on less than four (4) acres under 15.C.03.

(4)  Multiple Structures on a Single-User Lot or Complex, in accordance with Section 3.09.

(5)  The DRB may also require the submission of a Master Plan for any tract or parcel of land where there exists clear potential for future growth and development beyond that presented in an application, as necessary to establish physical and functional connections between areas of proposed and potential future development.


15.C PLANNED UNIT DEVELOPMENT

15.C.01 Purpose
15.C.02 Applicability
15.C.03 Planned Unit Development Review
15.C.04 General PUD Standards **Applicable to All PUD Types**
15.C.05 Conservation Development
15.C.06 Traditional Neighborhood Development

**15.C.07 General PUD**

...  

15.C.02 Applicability

**A. Floating Zone.** For purposes of these Regulations, a Planned Unit Development (PUD) is an unmapped overlay zoning district or “Floating Zone,” as allowed or required within an underlying zoning district, which is applied to a particular tract or parcel of land proposed for subdivision and development. A PUD is intended to function as a more flexible, design-based zoning district in which conservation or form-based design standards also apply to proposed development. Where PUD standards differ from underlying zoning district, site plan, or subdivision standards, PUD standards shall apply.

**B. PUD Types.** The following types of Planned Unit Development are authorized under these Regulations by Zoning District (Table 15.C.1), subject to the associated provisions and standards of review for each PUD type:

1. Conservation Development (CON)  
2. Traditional Neighborhood Development (TND)  
3. **General PUD**  

**Section 15.C.07**

**C. Required Planned Unit Development.** PUD review and approval by the DRB under this Article is required for any subdivision and development of a tract or parcel with a total area of four (4) or more acres within any zoning district listed for CON PUD and TND PUDs under Table 15.C-1. **General PUDs are not mandatory in any district.**

**D. Elective Planned Unit Development.** An applicant may elect PUD review, as allowed within specified zoning districts, for the subdivision and development of any tract or parcel:

1. Less than four (4) acres that qualifies as a Conservation PUD under Subsection 15.C.05, in which fifty percent (50%) or more of the total tract area includes one or more Hazard or Level I Resource areas identified for protection under Article 12.  
2. Where the General PUD type is allowed under Table 15.C-1 or Section 15.C.07(C).  

**E. PUD Type by Zoning District.** The types of PUD allowed within an underlying zoning district are specified by district in Table 15.C-1.
### Table 15.C-1 PUD Types by Zoning District

<table>
<thead>
<tr>
<th>PUD Type</th>
<th>Underlying Zoning Districts</th>
</tr>
</thead>
<tbody>
<tr>
<td>Conservation Development (CON)</td>
<td>(1) R1-PRD, R1-Lakeshore, R1-Lakeview, R2, Lakeshore, SEQ-NR, SEQ-NRT, SEQ-NRN, SEQ-VR, SEQ-VC</td>
</tr>
<tr>
<td></td>
<td>(2) A tract or parcel in any PUD-allowed zoning district in which a minimum of 50% of the total tract or parcel area consists of Hazards and/or Level I Resources (see Section 15.C.05)</td>
</tr>
<tr>
<td>Traditional Neighborhood Development (TND)</td>
<td>R1-PRD, R1-Lakeview, R1-Lakeshore, R2, R4, R7, Lakeshore, Allen Road, Swift Street, R7-NC, SEQ-VR, SEQ-VC</td>
</tr>
<tr>
<td></td>
<td>SEQ-NR, SEQ-NRN, SEQ-NRT, only in association with a Conservation PUD, in a designated Development Area with a minimum Buildable Area of 4 acres</td>
</tr>
<tr>
<td>General PUD</td>
<td>(1) C1-R12, C1-R15, C1-AUTO, C1-AIR, C1-LR, C2, IC, AIR, AIR-I, I-O, and IA.</td>
</tr>
<tr>
<td></td>
<td>(2) As described in Section 15.C.07(C).</td>
</tr>
</tbody>
</table>

(1) Planned Unit Development under this Article does not apply to subdivision and development within those zoning districts for which no PUD type is specified. In addition:

(a) All PUD types are prohibited within any zoning district not listed in Table 15.C-1; and

(b) All PUD types are prohibited within the SEQ-NRP Subdistrict; except for land on a tract or parcel within the SEQ-NRP that is included for conservation within a Conservation PUD.

15.C.04 **General PUD Standards Applicable to All PUD Types**
15.C.07 General PUD

A. Authority and Limitations.

(1) The Development Review Board (DRB) has the authority under 24 VSA § 4417 to review, to approve, to approve with modifications and conditions, or to disapprove an application for a Planned Unit Development (PUD), as further described in Section 15.C.01.

(2) Limitations on DRB authority under 14.04(A)(3)(b) apply.

(3) In addition, in no case shall the DRB vary:
   (a) Density restrictions and/or allow an increase in overall density except as authorized via use of Transferrable Development Rights or via Inclusionary Zoning.
   (b) Requirements of the Urban Design Overlay District and Transit Overlay District, as applicable.
   (c) Applicable lot coverage and/or building coverage maximums allowed within each zoning district, as measured across the PUD as a whole, except as authorized via use of Transferrable Development Rights.
   (d) Environmental Protection Standards under Article 12.
   (e) Parking and building location requirements in Section 14.06(A)(2).

B. General PUD Description, Purpose, and Characteristics. A General PUD is a type of planned development that allows for relief from the strict dimensional standards for individual lots in order to encourage innovation in design and layout and efficient use of land consistent with the Comprehensive Plan. Defining characteristics of a General PUD include well-planned, sited, and designed development projects that:

- Conform to the goals in the City of South Burlington Comprehensive Plan and South Burlington City Council’s Resolution on Climate Change dated August 7, 2017.
- Support and enable affordable housing development.
- Contribute to the City’s economic vitality, in response to changing markets and consumer demand, by providing needed housing, goods, services, and employment opportunities.
- Redevelop underperforming properties and commercial strips (rebits), contaminated sites (brownfields), and large expanses of parking (gray fields) into more compact forms of walkable, pedestrian-oriented, mixed-use development.
- Extend or re-establish existing street, sidewalk, and recreation path connections.
- Incorporate a density of development that supports walkable residential, mixed use, and transit-oriented development, compatible in design with the surrounding area.
- Improve the physical appearance, walkability, and amount of civic and green space within existing residential neighborhoods, commercial centers, and commercial strip development.
- Introduce missing or complementary uses, facilities, services, amenities, or civic space intended to serve the immediate and surrounding area.
- Foster context-sensitive transitions among and between neighborhoods, commercial areas, mixed use areas, civic spaces, and natural resource areas.

C. Applicability. A General PUD is an allowed PUD type in the following circumstances:

(1) As an allowed PUD type as listed in Table 15.C.1.
(2) For minor amendments to existing, approved PUDs as of [DATE of former regulations], including existing, approved PUDs in zoning districts other than indicated by Section 15C.07(C), and amendments to General PUDs approved under this Section.

(a) An amendment shall be considered “minor” if it does not significantly alter the overall intent, scale, or relationship of the approved PUD to its surroundings. A minor amendment may incorporate additional land not in the previous PUD, but only to the extent that it does not exceed other requirements of this section.

(b) Amendments to CON PUDs and TND PUDs shall be made under 15.C.05 (CON PUD) or 15.C.06 (TND PUD), respectively.

D. Conformance with PUD Standards. In addition to the specific standards under this Section, all standards in Section 15.C.04 shall also apply. Application and review process for a General PUD is governed by Section 15.C.03.

E. Context. For planning and design purposes, “Planning Area” is defined as the area within ¼-mile of the lot or parcel to be developed, as measured from the lot line or delineated PUD boundary.

F. General PUD Compatibility and Context Analysis

(1) Compatibility. PUD compatibility with the Planning Area, as determined from a detailed analysis of the Development Context, shall be a primary consideration in General PUD project design, and for DRB review and approval.

(2) “Development Context” is defined to include:

(a) The prevalent or recurring pattern and form of development within the Planning Area, including established street grid and streetscape elements, blocks, lots, buildings and yard areas, civic spaces, and parking arrangements, and

(b) The character of the Planning Area, as defined by:

(i) The planned character of an area planned for redevelopment by the City as identified in the Comprehensive Plan;

(ii) Approved, to-be-built or recently built (within ten (10) years) development projects in the Planning Area;

(iii) Any updates to the underlying zoning district(s) within the previous ten (10) years in the Planning Area; or

(iv) Zoning district purpose statements, allowed uses, and district specific development standards.

(v) As based on current zoning purpose statements, uses, and standards only if the DRB finds there is no relevant information under (ii)(a), (b), and (c), or the DRB finds that there is a clear, established neighborhood street, block, and lot pattern.

(3) Context Analysis. The applicant must submit a Context Analysis of the Development Context within the Planning Area, which, at minimum, includes the information required for Master Plan review under 15.B.04(C) and:

(a) Hazard, Level I, and Level II Resources regulated under Articles 10 and 12.
(b) Prevalent pattern of land subdivision and development in the area, as defined by block
lengths; building lot size and frontage distances; front, side, and rear setback distances; building
height and coverage; and existing parking arrangements.

(c) Streetscape elements, including the placement, orientation, and spacing of buildings
along the street, existing and planned sidewalks, and existing or planned landscaping, street
furniture, and lighting.

(d) Building types and styles, including any prevalent or character-defining architectural
features.

G. General PUD Dimensional Standards.

(1) Relevant subdivision, site plan, zoning district, and applicable overlay district dimensional
standards shall form the basis of the design of a General PUD and shall apply unless modified, reduced,
or waived by the DRB under (2) below.

(a) The DRB must find an application meets the requirements of 15.C.07(G)(2) in order to
modify, reduce, or waive Site Plan requirements using 14.04(A)(3), Site Plan application
requirements using 14.05(G), Subdivision requirements using 15.A.01(B)(3), Scenic Overlay
District requirements using 10.02(I)(2), (J), and/or (K).

(b) The DRB has authority to allow alternative compliance under 15.C.04(C)(3).

(c) Height restrictions in underlying zoning districts may be modified, reduced, or waived by
the DRB under (2) below, except as noted in 15.C.07(C)(2)(b) above.

(d) The DRB cannot modify, reduce, or waive standards as listed in 15.C.07(A)(3).

(2) In response to the existing or planned Development Context in the Planning Area, the DRB
may modify, reduce, or waive one or more applicable dimensional standards as necessary to:

(a) Accommodate reductions in the available area associated with infill or redevelopment,
that result in insufficient acreage to meet applicable dimensional standards; or

(b) Allow for more creative and efficient subdivision and site layout and design that advances
the purposes of the underlying zoning district and/or the goals of the Comprehensive Plan,
particularly in response to existing site limitations that cannot be eliminated; or

(c) Ensure that the pattern and form of proposed development is compatible with existing
or planned Development Context in the Planning Area determined under 15.C.07(F) and to
Transition Zone standards in 15.C.04(E); or

(d) Allow for greater energy efficiency, use of alternative energy, green building design, or
otherwise furthering of the South Burlington City Council’s Resolution on Climate Change dated
August 7, 2017.

(3) Context shall be determined by the existing or planned Development Context in the Planning
Area under Section 15.C.07(F) and (G).

H. Development Density.

(1) Development Density regulations and definitions included in Section 15.C.04(D) shall apply to
General PUDs.
(2) Development density within a General PUD is determined by maximum development density in the underlying zoning district, except as follows.

(a) Density can be re-allocated within the PUD area within single zoning districts;

(b) Additional density may be achieved through either or both Inclusionary Zoning and application of Transferrable Development Rights where specifically authorized by and as regulated by Section 18.01 or Section 9.05.

I. General PUD Design Standards

(1) Design Standards, Generally. The design for a General PUD shall comply with existing Site Plan, Subdivision, and Overlay District regulations and standards, but may allow for variations from applicable regulations that respond to and incorporate the development context within the Planning Area and under the specific circumstances listed in Section 15C.09(G)(4).

(2) Streets. Streets within a General PUD must be compatible with and connect to existing and planned public street, sidewalk, and path networks in the Planning Area.

(a) Street and block pattern requirements of the Subdivision regulations shall apply unless waived by the DRB under Section 15C.09(G)(4).

(3) Parking. Parking design and building location requirements applicable in all underlying zones and districts apply to General PUDs, including all requirements in Section 14.06(A)(2).

(4) Buildings. Buildings and associated building lots within a General PUD must be compatible with the development context in the Planning Area as described under Section 15.C.07(F) and (G).

(5) Civic Spaces and Site Amenities. Civic Spaces and/or Site Amenities must be compatible with the existing or planned development context. General PUDs must comply with applicable Civic Space and/or Site Amenity requirements in Subdivision (Section 15.A.16(B)(4)) and Site Plan (Section 14.06(4)).

(a) Section 15.A.16(C)(4) requirement for minimum 10% of the total buildable area to be civic space lots apply to General PUDs only for PUDs that involve subdivision of land resulting in three (3) or more lots, not including the resulting lots that only contain civic space(s).

(b) In a General PUD, Civic Spaces required under Subdivision Regulations (Section 15.A.16(C)(4)) and under Site Plan Regulations (Section 14.06(4)) can be satisfied by a combination of Civic Spaces, Site Amenities, or a combination, applied across the PUD area.

(6) Housing Mix. In a General PUD with more than four (4) residential dwelling units, a mix of two or more dwelling unit types (as allowed within the applicable zoning district) must be provided as described by Section 15.A.17. Types of dwelling units are differentiated by either housing type under Article 11.C or, within multi-family structures with more than four (4) dwelling units, by number of bedrooms per unit.