

Department of Planning and Zoning

149 Church Street
Burlington, VT 05401
Telephone: (802) 865-7188
(802) 865-7195 (FAX)
(802) 865-7142 (TTY)

David White, FAICP, Director
Meagan Tuttle, AICP, Comprehensive Planner
Jay Appleton, GIS Manager
Scott Gustin, AICP, CFM, Principal Planner
Mary O'Neil, AICP, Principal Planner
Ryan Morrison, Associate Planner
Layne Darfler, Planning Technician
Shaleigh Draper, Zoning Clerk



TO: Planning Commission Ordinance Committee
FROM: Scott Gustin
DATE: February 7, 2019
RE: Deletion of Sec. 8.1.12 (c)

At its November 20, 2018 meeting, the City Council Ordinance Committee reviewed the proposed changes to Article 8 articulated in zoning amendment ZA-19-03: Parking Amendments. Most of the revisions contained in the proposed amendment were supported by the committee. Sec. 8.1.12 (c); however, was problematic. The committee recommended deletion of the section.

Sec. 8.1.12 (c), *Front Yard Parking Restricted*, contains the city's long standing provision limiting residential front yard parking in the city's zoning code. Following several DRB decisions on appeal finding ambiguity within the section, discussion was had by the Planning Commission Ordinance Committee as to clarifying the section or simply deleting it. The PC OC found merit in the standard and elected to clarify the section. The Planning Commission recommended adoption of the clarified language at its August 28, 2018 meeting as part of the package of changes to Article 8.

ZA-19-03: Parking Amendments moved through the City Council's first read without comment and was forwarded to the City Council Ordinance Committee for discussion. Committee members felt that the provision was problematic in two ways. 1) By forcing at least one parking space (9' X 20') behind the front yard setback, it may artificially extend the length of driveways; and 2) Committee members felt that many existing shorter driveways are likely nonconforming. Given the dimensional standards of Table 8.1.11-1, *Minimum Parking Dimensions*, and the residential driveway standards of Sec. 6.2.2 (i), *Vehicular Access*, the CC OC felt that the front yard parking provision should be deleted.

In the event that the front yard parking provision is deleted, staff recommends that the residential driveway limitations of Sec. 6.2.2 (i), *Vehicular Access*, (i.e. minimum of 7' wide and no more than 18' wide) replace it. Doing so would result in applicability throughout the residential zones rather than just in design control areas.