

CITY OF BURLINGTON

ORDINANCE 6.05

Sponsor: Office of City Planning,
Planning Commission, Ordinance
Committee

Public Hearing Dates: 10/25/21

In the Year Two Thousand Twenty-One

An Ordinance in Relation to

COMPREHENSIVE DEVELOPMENT ORDINANCE –
Height Measurement, Dormers & Eaves
ZA #21-07

First reading: 08/09/21
Referred to: Ordinance Committee
Rules suspended and placed in all
stages of passage:
Second reading: 10/25/21
Action: adopted
Date: 10/25/21
Signed by Mayor: 10/29/21
Published: 11/03/21
Effective: 11/24/21

It is hereby Ordained by the City Council of the City of Burlington as follows:

That Appendix A, Comprehensive Development Ordinance, of the Code of Ordinances of the City of Burlington be and hereby is amended by amending Sections 5.2.6, Building Height Limits, 6.3.2(a)2, Roofs and Rooflines, and 13.1.2, Definitions, thereof to read as follows:

Sec. 5.2.6 Building Height Limits

No structure shall exceed thirty-five (35) feet in height unless otherwise authorized under the district-specific provisions of Article 4:

(a) Height Measurement:

The maximum height of any building shall be measured as follows:

1. Starting Point: Building height shall be measured from:

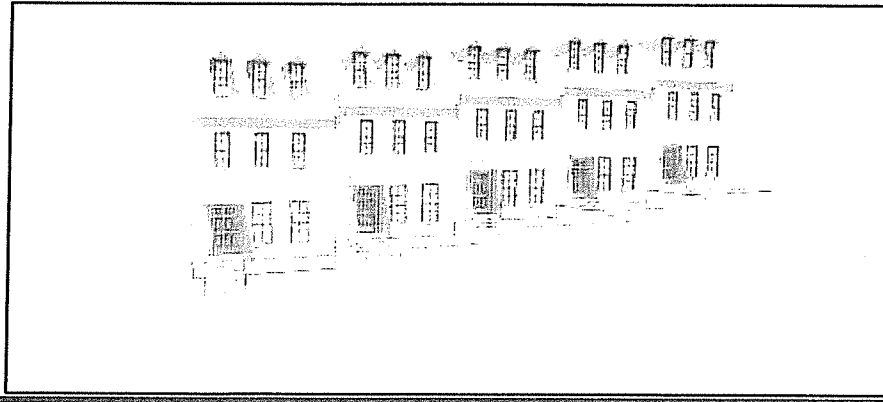
- A. a public sidewalk, alley, or other public way or space where the proposed building's street-facing facade is within a 50-foot horizontal distance of the lot's street frontage, of an exterior wall on the front of the building; or,
- B. the average finished grade within a 10-foot horizontal distance of the building's street-facing facade where the proposed building is more than a 50-foot horizontal distance from the lot's street frontage, all exterior walls of the building. In cases where a property line is within a 10-foot horizontal distance of an exterior wall, the average grade shall be measured between the property line(s).
- C. For buildings on sloped sites, see additional measurement standards in (b) below.

2. Ending Point: Building height shall be measured to:

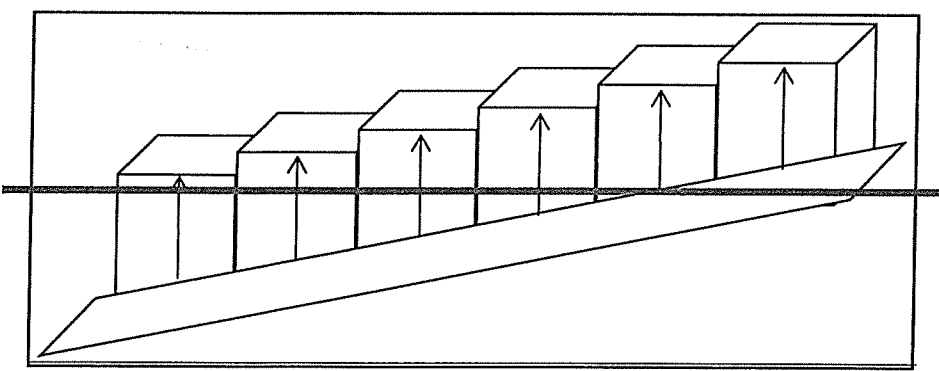
- A. Flat Roof: As written.
- B. Pitched Roof: As written.
- C. Curved Roof: As written.
- D. Roofs with Dormers: Building height will be calculated to the midpoint of the rise of dormers that either individually or collectively exceed 50% of the width of the horizontal eave length of the roof. Dormers less than this width do not affect height calculation noted in A – C and E of this subsection.
- E. Other Roof Forms: As written.

27 (b) Buildings on Sloped Sites: Buildings on slopes shall reflect the pre-construction topography of the site by
28 making use of opportunities to vary the building's height and roof forms relative to terrain changes as follows:

29 31. Measurement Interval: To encourage a variation in building heights relative to terrain changes and encourage
30 a variation in roof form, Building height shall be measured along the street-facing façade beginning no
31 less than 16 feet or more than 32 feet from lowest corner, or where two streets intersect if a corner lot, and
32 at an intervals of no less than 32 feet or more than 65 feet for along the entire length of the street-facing
33 façade(s).

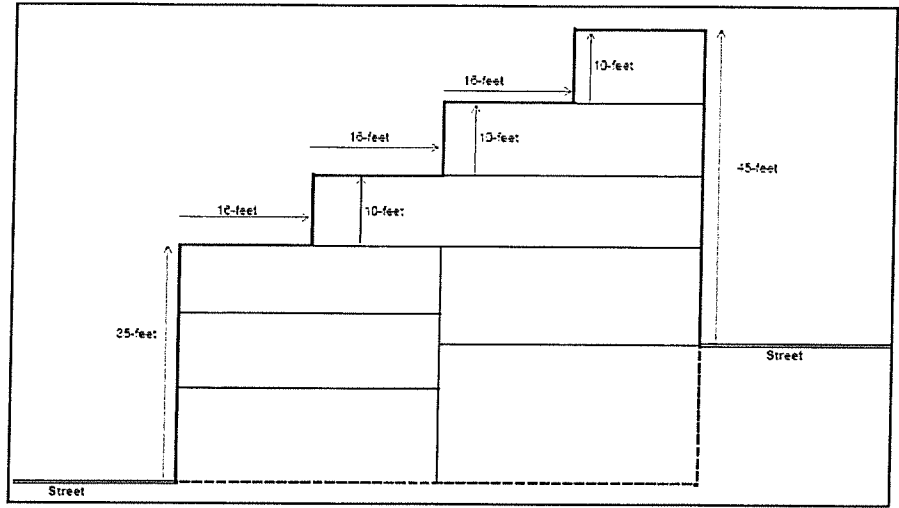


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38 42. Lots Fronting on Two or More Streets: Where a lot, other than a corner lot, fronts on two or more streets,
39 the building height shall be measured along each street-facing façade. Where the streets are at differing
40 elevations, the building height may gradually increase above the maximum height allowed on the lowest
41 street provided that any such additional height along the lowest street shall be set-back a minimum of 16-
42 feet from the average plane of the building's street-facing façade below for every 10-feet of additional
43 building height up to the maximum height allowed on the highest street.



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53. Illustration: To illustrate ~~evaluate the~~ height and bulk of the ~~a proposed building structure in context with its~~ surroundings, the DRB ~~applicant may be required~~ the developer to prepare a scale model, computer visualization, illustrations, or other renderings of the proposed building in context with its surroundings.

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(c**b**) *Exceptions to Height Limits* As written.

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(d**e**) *Clear Sight Triangle* As written.

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Sec. 6.3.2 Review Standards

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(a) Relate development to its environment:

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Proposed buildings and additions shall be appropriately scaled and proportioned for their function and with respect to their context. They shall integrate harmoniously into the topography, and to the use, scale, and architectural details of existing buildings in the vicinity.

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The following shall be considered:

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1. **Massing, Height and Scale:** As written.

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2. **Roofs and Rooflines.**

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New buildings should incorporate predominant roof forms and pitches within the existing neighborhood and appropriate to the context. Large expanses of undifferentiated roof forms shall be avoided. This can be achieved by incorporating dormers or some variation in the roof form to lessen the impact of the massing against the sky. While flat roofs can be a reasonable architectural solution, pitched roof forms and architectural elements that enhance the city's skyline are strongly encouraged. Roof eaves, parapets, and cornices should be articulated as an architectural detail. Roof-top mechanicals shall be screened from view from the public street, and should be incorporated into and hidden within the roof structure whenever possible.

Dormers shall not exceed the height of the ridgeline of the roof to which they are attached, and shall be set back a minimum of 1-foot from the edges of the underlying roofline. Individual dog house dormers shall be limited to 33% of the horizontal eave length of the principal roofline.

Solar panels, light colored ballast or roof membranes, split roof clerestories, planted or “green” roof technologies (with a clearly articulated maintenance plan) and “gray water” collection are encouraged. Active rooftop uses are also encouraged to add to the visual complexity and activity of the city’s skyline, and afford public access to otherwise unseen views of the city and surrounding landscape.

3. Building Openings As written.

(b)– (i) As written.

Sec. 13.1.2 Definitions

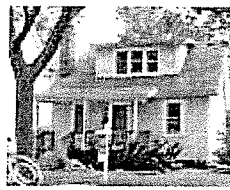
For the purpose of this ordinance certain terms and words are herein defined as follows:

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

Additional definitions specifically pertaining to Art. 14 planBTV: Downtown Code can be found in Sec. 14.8, and shall take precedence without limitation over any duplicative or conflicting definitions of this Article.

Dormer: A roofed structure, often containing a window that projects vertically beyond the plane of a pitched roof. Dormers are commonly used to increase the usable space in a half story and to create window openings in a roof plane.

Shed dormers have a single, inclined roof.



Dog house dormers are gable roofed, typically with a single window.



111 Eave: The edge of the roof which overhangs the face of an exterior building wall and, normally, projects beyond
112 the side of a building; performing the primary function of the roof in throwing water clear of the exterior building
113 walls.

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117 * Material stricken out deleted.

118 ** Material underlined added.

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120 KS: Ordinances 2021/Zoning Amendment – ZA 21-07, Height Measurement, Dormers & Eaves
121 Secs. 5.2.6, 6.3.2(a)2, 13.1.2
122 10/6/21

ORIGINAL

AN ORDINANCE

IN RELATION TO

CDO-Height Measurement, Dormers & Eaves
ZA #21-07

Introduced by Office of City Planning, Planning Commission, Ordinance Committee

Read in City Council first time

August 9, 20 21

Attest, , Clerk.

Rules suspended, and ordinance placed in all stages of passage.

_____, 20 ____.

Attest, , Clerk.


Read in City Council second time

October 25, 20 21

Attest, , Clerk.

Passed in City Council at meeting held

October 25, 20 21

Attest, , Clerk.

Approved , 20 21, Mayor.

I, CAO Schad of the City of Burlington and Clerk of the City Council of said City, do hereby certify that the within written Ordinance has been duly published according to Law and the Charter of the City, and in compliance with said Charter this certificate is hereto attached.

And the within Ordinance was ordered published for _____ day, _____ day of _____, 20 21.

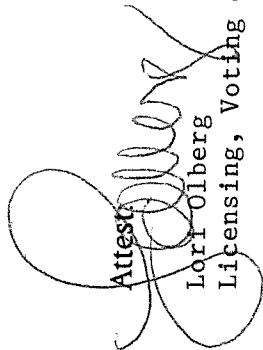
Adopted 10/25/21
Published 11/03/21
Effective 11/24/21
CAO Schad

Distribution

I hereby certify that this Ordinance has been sent to the following department(s) on

Meagan Tuttle, Office of City Planning
City Attorney's Office

Attest,


Lori Olberg
Licensing, Voting & Records Coordinator

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