



City of Burlington, VT
149 Church Street, 3rd Floor
Burlington, VT 05401
Phone: (802) 865-7144

www.burlingtonvt.gov/plan

TO: Planning Commission
FROM: Meagan Tuttle, AICP, Director and Charles Dillard, AICP, Principal Planner
DATE: October 7, 2022
RE: Proposed ZA-22-04 Trinity Campus Zoning Amendment

Background

In December 2021, Mayor Weinberger announced the "[10 Point Housing Action Plan](#)" to serve as a roadmap with two main goals: to double the rate of housing production within the city over the next 5 years, and end chronic homelessness in Burlington. The action plan includes a number of financial investments, resource expansion, and zoning policy changes to achieve these goals. The plan continues to build on nearly a decade of work to address housing availability and affordability—including many policy reforms the Planning Commission has previously been engaged in. In particular, the plan builds on and expands objectives from the 2015 Housing Action Plan and the 2019 Housing Summit.

The 2021 plan identifies three major zoning policy amendments to support its overarching goals, including "opening new on-campus University of Vermont (UVM) student housing opportunities by rezoning the former Trinity Campus to reduce UVM's pressure on the housing market."

Reviewing the applicability of the Trinity Campus overlay zoning district for this part of UVM's campus has been discussed periodically in recent years. [planBTV: Comprehensive Plan](#), updated in 2019, identifies the institutions' campuses and the major thoroughfares that function as the city's eastern gateways as [special growth areas](#). *planBTV* states that these areas are an essential focus for the growth of the institutions within their campuses, particularly to create new and additional housing options for students. *planBTV* also notes this area of campus as being important to help "better balance on-campus housing opportunities between the north and south of the core academic areas of campus."

Existing Trinity Campus Overlay Zoning District & Requested Amendments

The *Burlington Comprehensive Development Ordinance (CDO)* includes five Institutional Core Campus Overlay Districts, which apply to sub-areas of the Institutional zoning district. These overlay districts are intended to provide for growth within the core of the institutions' campuses, by allowing an increased development intensity than would typically be found in the underlying zoning district, and providing transitions between sections of campus and the surrounding neighborhoods.

The UVM Trinity Campus (ICC-UVMT) overlay zone applies to a parcel on UVM's campus along Colchester Avenue on the north side of the intersection of Colchester and East Avenues. The parcel is currently home to a number of UVM [residence halls](#) such as McCauley and Mercy Halls, as well as other uses for the institution. UVM intends to create additional graduate and undergraduate beds in the vicinity of these existing residence halls, and has identified a number of limitations under the current ICC-UVMT overlay zone. The requested zoning changes included allowing buildings within the existing Colchester Avenue Buffer, and increasing allowable height and lot coverage. In reviewing the existing ICC-UVMT standards, staff identified four additional areas to update: density limits, allowance for non-residential uses, major impact threshold, and context on campus planning within this area of campus. The enclosed amendments address both UVM and the department's recommended changes.

Proposed Amendment

Amendment Type

Text Amendment	Map Amendment	Text & Map Amendment
-----------------------	----------------------	---------------------------------

Purpose Statement

The proposed amendment updates the dimensional and use standards for development within the Trinity Campus Overlay zone, and establishes new requirements for supplemental application materials for developments on the Trinity Campus.

Proposed Amendments

The following changes to the *Burlington Comprehensive Development Ordinance* are proposed:

1. Amends standards for setbacks, height, and lot coverage within the Trinity Campus Overlay district (ICC-UVMT)

These changes address requests made by UVM to facilitate infill development on the Trinity Campus in support of additional on-campus housing and include:

- Establishes a new front yard setback between the property line and the existing Colchester Avenue Buffer.
- Allows new buildings between the new setback and the existing Colchester Avenue buffer up to 45 ft., and increases the height limit to 80 ft. for buildings beyond the existing buffer.
- Increases the allowable lot coverage on the Trinity Campus from 40% to 60%.
- Replaces existing setback measurements that are measured from the property line to be measured instead from the centerline of Colchester Avenue.

2. Removes the Trinity Campus-specific limit on density and lowers threshold for Major Impact Review

- With the exception of ICC-UVMT and the Champlain College overlay, the campus overlays do not apply a limit on housing density in order to enable institutions to maximize their anticipated growth within their campus areas. This amendment proposes to remove this limit for dorms and residential units created for students.
- This proposes to remove the lower threshold for Major Impact review that applies only to Trinity Campus. This would instead utilize the standards of the underlying Institutional District for when this would be applicable.

3. Adjusts allowable residential and non-residential uses allowed on the Trinity Campus, and allows non-residential uses in new buildings in addition to existing

- ICC-UVMT allows for some non-residential uses such as cafés, small grocery stores, and similar business types in existing buildings on the Trinity Campus. However, these same uses are a conditional use if they are incorporated in new buildings. This amendment proposes to allow these uses regardless of the age of the buildings.
- This also removes Single Family and Duplex homes from the allowable uses; adds Beauty/Barber Shop, Laundromat, and Parking Garage to the list of permitted uses; and updates other uses to be consistent with changes to Uses in Appendix A since this district was established.

4. Creates new application requirements for developments on the Trinity Campus

- There is strong City and public interest in overall growth & development plans for the Institutions and how a specific project proposal fits the vision. This proposes additional information about growth and enrollment forecasts to be submitted as part of an application for development on the Trinity Campus.

Relationship to planBTV

This following discussion of conformance with the goals and policies of planBTV is prepared in accordance with the provisions of 24 V.S.A. §4441(c).

Compatibility with Proposed Future Land Use & Density

The proposed changes are consistent with *planBTV*. Specifically, this amendment is intended to enable greater on-campus development in an area identified for future institutional growth. *planBTV* notes that this area of campus is important to creating a better balance among on-campus housing opportunities to the north and south of the core academic campus areas.

Impact on Safe & Affordable Housing

The proposal is intended to support the creation of new and additional housing options on campus for students of multiple academic programs. Together with changes to allowable non-residential uses, the proposed amendments seek to enable vibrant campus developments that will be attractive to a range of students, including those not otherwise required to live on campus. This also supports the [2015 Housing Action Plan](#) goal to create new on-campus beds in order to create a better balance of housing opportunities with our community, improve quality of life in near-campus neighborhoods, and reduce student pressures on area rents.

Planned Community Facilities

This amendment has no impact on any planned public facilities, but is anticipated to support planned residential infill development on the UVM Trinity Campus.

Process Overview

The following chart summarizes the current stage in the zoning amendment process, and identifies any recommended actions:

Planning Commission Process				
Draft Amendment referred by: Staff	Presentation & discussion: 2/8/22, 5/25/22, 7/12/22, 9/13/22, 10/11/22	Approve for Public Hearing	Public Hearing	Approve & forward to Council
City Council Process				
First Read & Referral to Ordinance Cmte	Ordinance Committee discussion & recommendation	Council 2 nd Read	Public Hearing	Approval & Adoption
				Rejected

CITY OF BURLINGTON

ORDINANCE _____

Sponsor: Office of City Planning,
Planning Commission
Public Hearing Dates: _____

In the Year Two Thousand Twenty-Two

First reading: _____
Referred to: _____

Rules suspended and placed in all
stages of passage: _____

Second reading: _____

Action: _____

Date: _____

Signed by Mayor: _____

Published: _____

Effective: _____

An Ordinance in Relation to

ZA-22-04 TRINITY CAMPUS OVERLAY (ICC-UVMT)

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

1 That Appendix A, Comprehensive Development Ordinance, of the Code of Ordinances of the City of
2 Burlington be and hereby is amended by amending Sec 4.5.2 Institutional Core Campus Overlay Districts
3 and amending Sec. 4.5.2 (e) District Specific Regulations: UVM Trinity Campus (ICC-UVMT) thereof to
4 read as follows:

6 **Sec. 4.5.2 Institutional Core Campus Overlay Districts**

7 **(a) Purpose**

8 The Institutional Core Campus Overlay (ICC) districts are intended to provide for reasonable future
9 growth for institutions within the core of their respective campuses without further intrusion into
10 surrounding residential neighborhoods. This overlay allows ~~greater~~ ~~increased~~ development than
11 would typically be found in the underlying districts. Development is intended to be more intense than
12 the surrounding neighborhoods with higher lot coverage and larger buildings. New development
13 should provide sensitive transitions to the historic development pattern and scale of the surrounding
14 campus, ~~and~~ ~~B~~ buildings both large and small should be designed with a high level of architectural
15 detailing to provide visual interest and create enjoyable, human-scale spaces. Sites should be
16 designed to be pedestrian friendly and encourage walking between buildings. Circulation should
17 largely emphasize the needs of pedestrians and bicycles, and parking should be very limited and
18 generally provided offsite. Where parking is provided, it should be hidden either within or underneath
19 structures.
20

21 **(b) Areas Covered & Applicability**

22 The Institutional Core Campus Overlays ~~areas~~ delineated on Map 4.5.2-1, ~~and~~ ~~are~~ ~~further~~ described
23 as follows, ~~and are further regulated from the underlying Institutional district according to provisions~~
24 ~~of Sec 4.5.2 (c) through Sec. 4.5.2 (g).~~

25 ~~The regulations contained in Sec. 4.5.2 are subject to the limitations set forth in 24 V.S.A § 4413,~~
26 ~~titled "Limitations on municipal bylaws," which limits regulation of qualified uses, including schools~~

and educational institutions, to specified criteria and only to the extent the regulation does not have the effect of interfering with the intended functional uses. Where the following regulations conflict with requirements of §4413, the statute shall govern.:

- 1. **University of Vermont Medical Center Campus (ICC-UVMMC)** *As written*
- 2. **UVM Central Campus (ICC-UVM)** *As written*
- 3. **UVM Trinity Campus (ICC-UVMT)** is intended to provide ~~reasonable~~ future use of the UVM Trinity College campus north of Colchester Avenue and to preserve the residential character of the existing neighborhoods adjacent to the district. This district allows for an increased development scale and intensity than would typically be found in adjoining and underlying districts for the state’s flagship academic institution. This core campus is expected to be predominantly pedestrian-oriented, with all but the most essential parking provided off-site, and allow for limited neighborhood-supporting commercial uses to promote a vibrant mix of uses supportive of and to attract additional on-campus housing opportunities. Development within this core campus should aspire to reflect the institution’s core education values in both design and quality;
- 4. **UVM South of Main Street Campus (ICC-UVMS)** *As written*
- 5. **Champlain College (ICC-CC)** *As written*

(c) District Specific Regulations: University of Vermont Medical Center (ICC-UVMMC);

As written

(d) District Specific Regulations: UVM Central Campus (ICC-UVM);

As written

(e) District Specific Regulations: UVM Trinity Campus (ICC-UVMT);

1. Lot Coverage

Lot coverage within the ICC-UVMT district shall not exceed ~~40%~~ 60% except as may be allowed under the ~~inclusionary housing~~ provisions of Article 9: Inclusionary and Replacement Housing.

Maximum lot coverage shall be applied to the aggregate of all lots owned by a single entity and located within the ICC-UVMT district.

2. Setbacks

Development in the ICC-UVMT shall be subject to the setback requirements as specified under the provisions of the underlying zoning district, except for as noted in Sec.4.5.2 (e) 2. a below.

Minimum side and rear yard setbacks shall not be applicable between parcels under the same ownership within the ICC-UVMT district, but shall apply along the perimeter of the district.

63
64
65
66
67
68
69
70
71

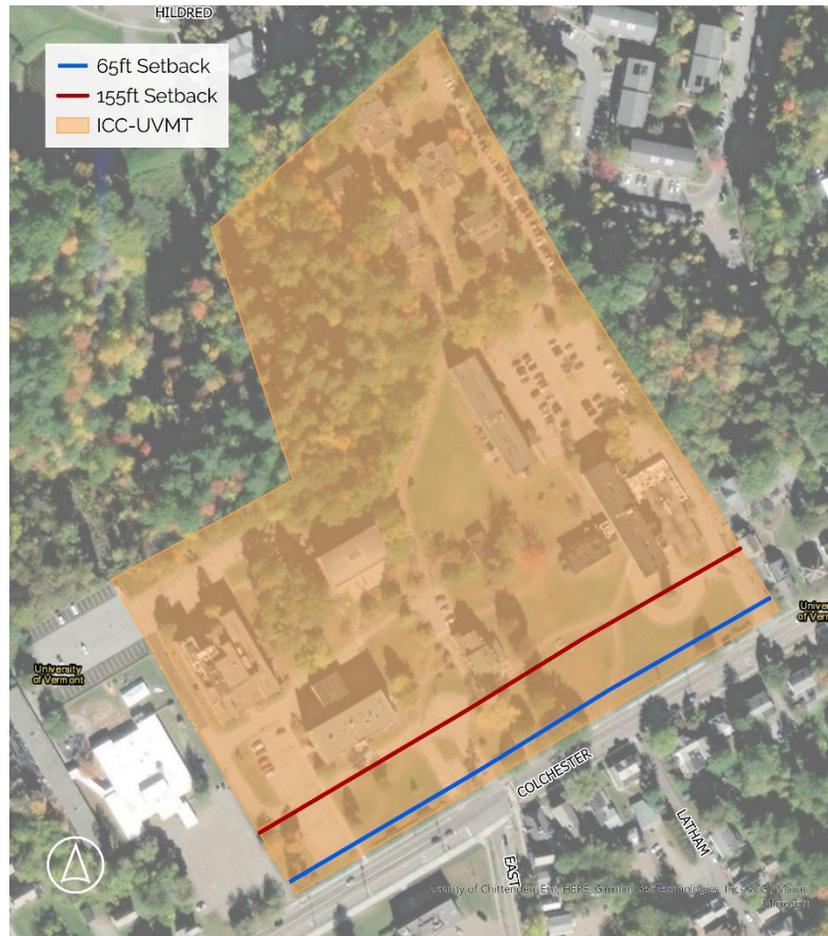
a. Colchester Avenue Buffer:

i. ~~Within 65 ft from the centerline of Colchester Avenue: the ICC-UVMT no development of new surface parking or new structures, except for ancillary structures no larger than 200 square feet, shall be permitted, within a setback of 115 feet from the front property line on Colchester Avenue.~~

ii. Between 65 ft and 155 ft from the centerline of Colchester Avenue: new structures are permitted subject to the height limits of Sec. 4.5.2 (e) 3 below. No development of new surface parking shall be permitted.



72



UVM Trinity Campus (ICC-UVMT) Colchester Avenue Buffer

73

74

3. Surface Parking

75

76

77

78

79

No new outdoor surface parking spaces shall be permitted in the ICC-UVMT district unless the number of the new outdoor surface parking spaces is offset by the corresponding removal of outdoor surface parking spaces in the ICC-UVMT district existing as of January 1, 2002 and the Development Review Board has approved such offset in issuing a certificate of appropriateness.

80

81

4.3. Height

82

83

84

85

86

87

88

89

90

Additions and new construction may be built to a height of: that does not exceed the greater of thirty five feet (35') or the height of existing structures located on the same parcel within the ICC-UVMT district, but in no instances shall any building exceed fifty five feet (55') in height as measured from finished grade.

i. Between 65 ft and 155 ft from the centerline of Colchester Avenue: 45 ft. max

ii. From 155 ft from the centerline of Colchester Avenue to the northwest: 80 ft. max

5.4. Density

In the ICC-UVMT district, ~~the density restrictions on residential density set forth in Sec. 4.4.4 shall not apply to dormitories nor to residential units built by the institution, or by a private developer on behalf of the institution for the exclusive use by UVM students, the underlying zoning district, and in the underlying zoning district, and in Article 9 (Inclusionary Housing) shall apply to all development, including changes in use.~~

Unless replaced on-site no housing unit in a residential structure located within the ICC-UVMT shall be demolished or converted to a nonresidential use, except for housing units that are exempt from the provisions of Article 9, Part 2- Housing Preservation and Replacement/Demolition and Conversion.

6.5. Uses:

Within the ICC-UVMT, only the following uses shall be permitted ~~or conditionally permitted:~~

Permitted Uses:	Conditional Uses:
<u>Residential & Special Residential Uses</u>	
Assisted Living	
Attached Dwelling(s) – Mixed-Use	
Attached Dwellings - Multi-Family	
Attached Dwellings – Duplex	
Bed and Breakfast	
Boarding House	
Convalescent /Nursing Home	
Single Detached Dwelling	
<u>Dormitory</u>	
<u>Historic Inn</u>	
<u>Non-Residential</u>	
Bed and Breakfast Beauty/Barber shop	Bakery Retail
Community Center	Bank, <u>Credit Union</u>
Daycare Large, Daycare Small	Café
Dormitory	Convenience Store
Health Care Hospitality	<u>Credit Union</u>
Health Club	Dental Lab
Health Studio	Dry Cleaning Service
Historic Inn	General Merchandise/Retail – Small <4,000sqft

Permitted Uses:	Conditional Uses:
Hostel	Grocery Store – Small ≤10,000sqft
Office – General	Medical Lab
Office - Medical, Dental	Pharmacy
Park	Research and Development Facility
Performing Arts Studio	Research Lab
Record and Document Storage	Restaurant
School - Post-Secondary & Community College	<u>Parking Garage</u>
School - Preschool	<u>Laundromat</u>
Worship, Place of	

105

106

107

108

109

110

111

112

~~All non-residential uses are Permitted Uses within buildings existing as of January 1, 2002; and are Conditional Uses if located within a new building to be constructed after January 1, 2002.~~

No ~~permitted or conditional~~ use in the ICC-UVMT District may include drive-through facilities, gas pumps or canopies.

113

114

115

116

117

118

119

7.6. Parking

Parking for all uses and structures shall be planned for and provided in accordance with the provisions of Article 8, Part 3 Institutional Parking Plans.

~~No new outdoor surface parking spaces shall be permitted in the ICC-UVMT district unless the number of new outdoor surface parking spaces is offset by the corresponding removal of outdoor surface parking spaces in the ICC-UVMT district existing as of January 1, 2022 and the DRB has approved such offset in issuing a certificate of appropriateness.~~

120

121

122

123

124

125

126

127

8.7. ~~Review Requirements~~Supplemental Application Requirements

~~Within the ICC-UVMT, any new construction or any change of use of 15,000 square feet or more (including any cumulative change of use or new construction of 15,000 square feet or more within a twelve-month period) shall be subject to the conditional-use major impact review criteria (Article 3).~~

a. Required Application Materials

In addition to all applicable application criteria in Article 3, applications for development within the ICC-UVMT by the institution, or by a private developer on behalf of the

128 institution for a project for the exclusive use of students, shall include the following.
129 These application requirements apply only to projects which will result in a change of use,
130 habitable area, or off-street parking, and shall not be required for applications for routine
131 maintenance, repair, equipment installation, walkways, landscaping, public art, and the
132 like.

133
134 The information required in this Section is for informational purposes and shall not
135 constitute a basis to condition or deny institutional developments in any manner
136 inconsistent with 24 V.S.A. § 4413.

137
138 An application may reference sections of a current, approved Institutional Parking
139 Management plan if the Administrative Officer determines it contains sufficient detail
140 regarding planned projects, anticipated campus user groups, and forecasted units and GFA
141 as outlined in the following.

- 142
143 i. A plan, in the form of either the institution’s approved land bank plan or a
144 conceptual site plan, of the general location and use of future residential and non-
145 residential development on the Trinity Campus, and an explanation of how the
146 density and location of the subject application implements or modifies projects
147 contemplated within the plan.
- 148 ii. An explanation of the extent to which the subject application implements or
149 modifies projects identified within the institution’s approved Institutional Parking
150 Management Plan, pursuant to Article 8, Part 3.
- 151 iii. For residential developments, the institution shall provide, for informational
152 purposes, the number of dwelling units within the project and how this relates to
153 forecasted student enrollment in all academic programs and growth in campus
154 beds for a) students required to live on campus, and b) students not required to live
155 on campus, for the ensuing five year period.
- 156 iv. For non-residential developments, the institution shall provide, for informational
157 purposes, the GFA within the project compared to the existing GFA on the Trinity

Campus and forecasted growth in non-residential GFA on the Trinity Campus for the ensuing five year period.

b. Annual Reporting

The institution shall provide a report annually to the Administrative Officer regarding the implementation of the approved development, and any changes in the makeup of user groups accommodated, enrollment, or forecasts for the same for the remainder of the five year period.

This reporting requirement may be combined with annual reporting requirements for an approved Institutional Parking Management Plan if the Administrative Officer determines that such annual reports provide sufficient detail to meet the requirements outlined above.

(f) District Specific Regulations: UVM South of Main Street Campus (ICC-UVMS):

As written

(g) District Specific Regulations: Champlain College (ICC-CC):

As written

* Material stricken out deleted.

** Material underlined added.