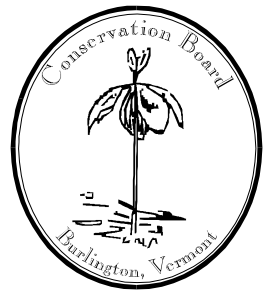


Burlington Conservation Board

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To: Conservation Board
From: Scott Gustin
Date: March 1, 2021
Re: Existing zoning standards regarding slopes

The Comprehensive Development Ordinance presently addresses steep slopes and site topography in two sections (5.2.4 & 6.2.2). Section 5.2.4 essentially deducts steep slopes from lot coverage and residential density calculations in some zoning districts. Sec. 6.2.2 (a) speaks to preserving steep slopes and other significant natural features on a site, and 6.2.2. (b) guides development towards working with existing topography rather than significantly altering it as part of any development proposal.

Sec. 5.2.4 Buildable Area Calculation

The intent of this section is to:

- To protect sensitive natural features;
- To prevent overdevelopment of properties that contain sensitive and unbuildable areas, and
- To ensure that new development fits within the existing scale and intensity of the surrounding neighborhood.

For any properties two (2) or more acres in size within any RCO, WRM, RM, WRL, or RL zoning district, the maximum building density or lot coverage shall be calculated using the buildable area only. Buildable area shall be deemed to include only those portions of a property that are not inundated at least six months per year by water including streams, ponds, lakes, wetlands and other bodies of water; and lands with a slope in excess of 30%.

The DRB may under conditional use criteria allow up to 50% of the maximum building density or lot coverage to be calculated on lands with a slope between 15-30% if the applicant can demonstrate that the additional density or lot coverage will be compatible within the existing scale and intensity of the surrounding neighborhood, and not have an undue negative impact on sensitive natural features.

Sec. 6.2.2 Review Standards

(a) Protection of Important Natural Features:

The landscape, existing terrain and any significant trees and vegetation shall be preserved in their natural state insofar as practicable in keeping with the objectives of the underlying zoning district. Development and site disturbance shall preserve watercourses, wetlands,

steep slopes, flood-prone areas, rock outcroppings, wildlife habitat and travel corridors, specimen trees and contiguous stands of forest, and other sensitive ecological and geological areas insofar as practicable in keeping with the objectives of the underlying zoning district. Site plans shall provide suitable buffers from any proposed site improvements, and maintain continuity and contiguousness of greenspace while allowing reasonable development in support of the overall intent of the zoning district. Where any natural features are proposed to be removed or the topography altered, special attention shall be given to replace or mitigate the loss of such features. Any development occurring on parcels containing significant natural areas identified in the city's *Open Space Protection Plan* shall avoid disturbance to these natural areas and establish appropriate buffers that protect their natural functions.

(b) *Topographical Alterations:*

Alteration to the natural contour of the site shall minimize grading, cut, and fill, and shall take necessary measures to protect against erosion and future instability. Any grade changes shall be in keeping with the general appearance of neighboring developed areas. In areas where more intense levels of development are encouraged, development should seek to take advantage of topographical changes to hide and/or blend new construction into the landscape. Proposed design and construction details for any cut and fill, or retaining walls over 3-feet in height, or any height along the lakeshore, shall be subject to review and approval by the city engineer before receiving approval of the site plan.