

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, AICP, Director
Meagan Tuttle, AICP, Comprehensive Planner
Jay Appleton, Senior Programmer
Scott Gustin, AICP,CFM, Principal Planner
Mary O'Neil, AICP, Principal Planner
Ryan Morrison, CFM, Associate Planner
Anita Wade, Zoning Clerk
Elsie Tillotson, Department Secretary



MEMORANDUM

TO: Jane Knodell, City Council President
Burlington City Councilors
Mayor Miro Weinberger

FROM: Scott Gustin, Principal Planner

DATE: Friday, April 1, 2016

RE: Proposed zoning amendment: **ZA-16-06; Animal Boarding in Downtown Zones**

You will please find attached a proposed amendment to the Burlington Comprehensive Development Ordinance for your consideration and adoption as recommended by the Burlington Planning Commission on March 22, 2016.

The amendment is intended to allow for animal boarding/kennel/shelter use in the city's downtown zones. This use is already defined within the CDO, but it is presently not allowed in the downtown zones. This amendment was initiated by a member of the public.

The requested animal boarding/kennel/shelter use would be allowed as a conditional use in the downtown mixed use zones, subject to certain criteria aimed at lessening the potential for offsite impacts. The Planning Commission recommended a licensure requirement so that standards relative to noise and waste handling may be reviewed on a yearly basis.

Thank you for your consideration.

CITY OF BURLINGTON

ORDINANCE _____

Sponsor: Planning Department
Public Hearing Dates: _____

In the Year Two Thousand Sixteen

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

COMPREHENSIVE DEVELOPMENT ORDINANCE –
Appendix A-Use Table, Animal Boarding/Kennel/Shelter in
Downtown Zoning Districts
ZA 16-06

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 the Use Table – All Zoning Districts, Non-Residential
3 Uses, Animal Boarding/Kennel/Shelter thereof to read as follows:

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5 *See proposed changes on attached table.

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11 ** Material stricken out deleted.

12 *** Material underlined added.

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17 lb/KS/c: Ordinances 2016/Zoning Amendment – App. A, Use Table – All Zoning Districts, ZA #16-06—Animal Boarding/Kennel/Shelter in

18 Downtown Zoning Districts

19 4/19/16

20

Appendix A-Use Table – All Zoning Districts

	Urban Reserve	Recreation, Conservation & Open Space			Institutional	Residential			Downtown Mixed Use					Neighborhood Mixed Use			Enterprise	
USES	UR	RCO - A	RCO - RG	RCO - C	I	RL/W	RM/W	RH	D	DW	DW-PT ¹⁶	DT	BST	NMU	NAC	NAC-RC	E-AE	E-LM
RESIDENTIAL USES	UR	RCO - A ¹	RCO - RG	RCO - C	I	RL/W	RM/W	RH	D	DW	DW-PT ¹⁶	DT	BST	NMU	NAC	NAC-RC	E-AE	E-LM

NON-RESIDENTIAL USES	UR ²¹	RCO-A	RCO-RG	RCO-C	I	RL/W	RM/W	RH	D	DW	DW-PT ¹⁶	DT	BST	NMU	NAC	NAC-RC	E-AE	E-LM

Animal Boarding/Kennel/Shelter	N	CU	N	N	N	N	N	N	<u>NCU²⁹</u>	<u>NCU²⁹</u>	N	<u>N</u> <u>CU²⁹</u>	<u>N</u> <u>CU²⁹</u>	N	CU	CU	CU	CU

1. - 28. As Written.

29. Must be fully enclosed within a building and is subject to licensure by the City Council.

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www.burlingtonvt.gov/PZ

David E. White, AICP, Director
Scott Gustin, AICP, Principal Planner
Meagan Tuttle, AICP, Comprehensive Planner
Jay Appleton, Project Planner/GIS
Mary O'Neil, AICP, Principal Planner
Ryan Morrison, Assistant Planner
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Burlington Planning Commission Report Municipal Bylaw Amendment

ZA-16-06 – Animal Boarding/Kennel/Shelter in Downtown Zones

This report is submitted in accordance with the provisions of 24 V.S.A. §4441(c).

Explanation of the proposed bylaw, amendment, or repeal and statement of purpose:

The proposed amendment amends the Comprehensive Development Ordinance Appendix A- Use Table to permit animal boarding, kennel and/or shelter uses in the downtown mixed use zones by conditional use, with criteria aimed at lessening the potential for off-site impacts by requiring the use to be fully enclosed and subject to City Council licensure.

Conformity with and furtherance of the goals and policies contained in the municipal development plan, including the availability of safe and affordable housing:

This proposed amendment to the Comprehensive Development Ordinance (CDO) expands a use that is currently permitted by conditional use within the City to additional zoning districts within the downtown mixed use zones, and conforms with the goals and policies contained in the City's Municipal Development Plan. The proposed amendment does not limit the ability to provide safe and affordable housing within the community.

Compatibility with the proposed future land uses and densities of the municipal development plan:

This proposed amendment is consistent with the proposed future land uses and densities of the Municipal Development Plan by considering land use policies that will limit sprawl and by enabling further mixed-use development in the downtown in a way that ensures needs of the city's residents and visitors are served.

Implementation of specific proposals for planned community facilities:

This proposed amendment supports the City's plans for an expanded and active waterfront area, particularly for visitors to City who utilize hotels, the Burlington Boathouse Marina, North Beach Campground, city parks, and who are attending waterfront events where dogs can be a nuisance or liability.