



DRAFT

ARTICLE 14
BURLINGTON FORM-BASED CODE

VIBRANT · CREATIVE · ACTIVE · SUSTAINABLE

ARTICLE 14- BURLINGTON FORM-BASED CODE TABLE OF CONTENTS

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This form based code is the result of a collaboration between the Burlington Dept. of Planning and Zoning and their consultant the Town Planning and Urban Design Collaborative (TPUDC). In developing this code for Burlington, many of the best form based codes from across the country were consulted for format, organization, standards and overall inspiration including those in Cincinnati, OH and Flagstaff, AZ (prepared by Opticos), Miami, FL (prepared by DPZ), Nashville, TN, and Buffalo, NY (prepared by Camiros).

PREAMBLE: A PLACE-BASED APPROACH TO ZONING

SUBSECTIONS:

P.1	What is a Form-Based Code?
P.2	The Rural-to-Urban Transect: The Framework for the Burlington Form-Based Code
P.3	Foundation for the Burlington Form-Based Code
P.4	Guiding Principles for the Burlington Form-Based Code
P.5	The Burlington Form Districts
P.6	Organization of the Burlington Form-Based Code
P.7	How to Use the Burlington Form-Based Code

This Preamble to the Burlington Form-Based Code provides an overview of Form-Based Codes generally, and the creation and organization of the Burlington Form-Based Code. This text is not regulatory and is intended only to provide an introduction and overview for users.

P.1 - WHAT IS A FORM-BASED CODE?

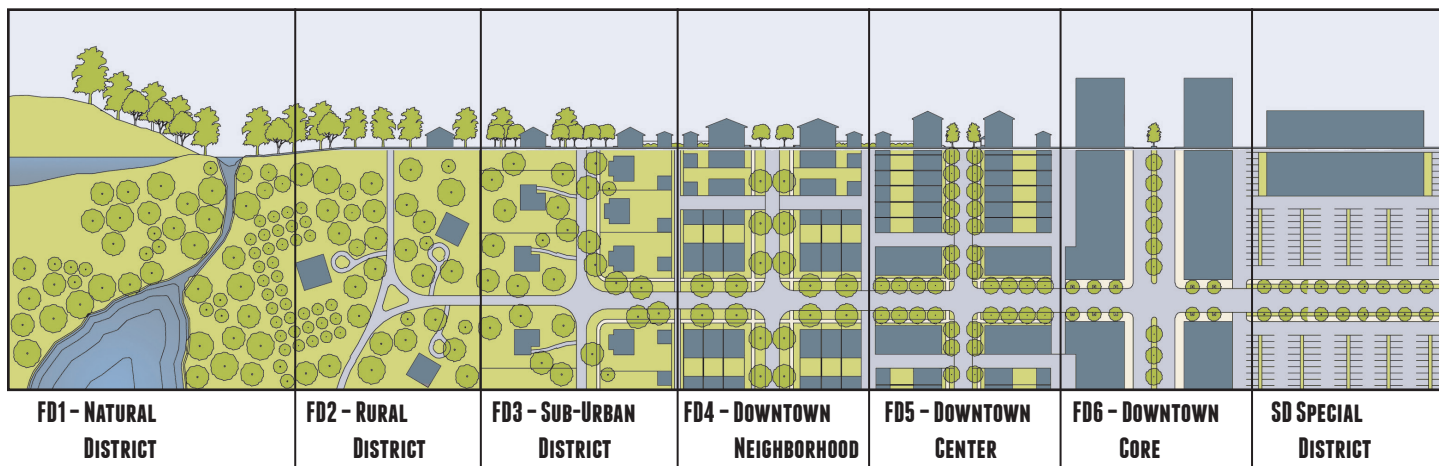
The growing use of “Form-Based” development regulations represents a paradigm shift in the way that communities regulate the growth and development of the built environment. More and more communities are realizing that conventional, use-based approaches to zoning are much less effective for regulating diverse, urban, mixed-use environments.

Unlike conventional zoning regulations, Form-Based Codes use the intended built form and physical characteristics of a place as the organizing principle or framework of the code, rather than one base on separating or concentrating land uses. As such, the naming conventions used in a Form-Based Codes are typically “use-neutral” and instead reflect the intended physical form of a place or building. For example, instead of an area being labeled “single-family residential,” it might be called “traditional neighborhood.” The terms “neighborhood” and “downtown” both may include a mix of uses and different building types but with a different intended physical form, scale, and intensity of development.

While Form-Based Codes primarily focus on the intended physical form and character of a place, it is not to say they ignore uses. Form-Based Codes carefully provide for a range of uses to maximize compatibility with the intended physical form of the area. In many cases, the defined physical form and character of a place or building will greatly influence the type or scale of a given use. This allows for a more simplified list of permitted and conditionally permitted uses. Burlington is using Form-Based Code to help achieve the overarching vision of *planBTV-Downtown & Waterfront Master Plan* to create a vibrant downtown that is welcoming to all.

P.2 - THE RURAL-TO-URBAN TRANSECT: THE FRAMEWORK FOR THE BURLINGTON FORM-BASED CODE

The rural-to-urban transect is an organizing principle used by many Form-Based Codes that establishes a hierarchy of places/contexts from the most rural to the most urban, and replaces use as the organizing principle as is used in conventional or Euclidean zoning. The designation of each zone along this hierarchy is determined first by the character and form, intensity of development, and type of place and secondly by the mix of uses within the area.



The Burlington Form-Based Code uses the term “Form Districts” rather than “Transect Zones” for ease of use and understanding by the majority of users. The Burlington Form Districts currently include only the more urbanized (FD4-FD6) end of the hierarchy. The more natural, rural and suburban (generally FD1 through FD3) district types are not used at this time because they are generally not present within the downtown or waterfront area of the city.

P.3 - FOUNDATION FOR THE BURLINGTON CODE

In 2013, the City of Burlington completed a comprehensive downtown and waterfront master plan called *planBTV: Downtown and Waterfront Master Plan* (www.burlingtonvt.gov/planBTV/), which was unanimously supported and adopted by the City Council. The development of planBTV began in 2011 with a series of studies to inventory and assess existing conditions and identify primary needs, challenges and opportunities. These assessments provided critical information and perspective necessary to inform a meaningful and grounded visioning and planning process. After 18 months of intensive public engagement by Burlingtonians, the development of the master plan began. planBTV is the culmination of these efforts and includes a cohesive vision that emerged from a planning process grounded in real-world present-day context.

One of the most important implementation tools identified in planBTV was the development of a Form-Based Code for the Downtown and Waterfront area. This was understood to be a critical tool with which to facilitate infill, allow for a more diverse range of building types, and simplify the public approvals process for new and future development within the city’s core.

P.4 - GUIDING PRINCIPLES FOR THE BURLINGTON FORM-BASED CODE

The Burlington Form-Based Code is designed to be applied across the planBTV study area, becoming Article 14 of the Comprehensive Development Ordinance for this part of the City, in order to help advance the following guiding principles of the *planBTV: Downtown and Waterfront Master Plan*:

- A Vibrant Economy - local food, local business, local character
- Housing Choice - choice, affordability, dignity
- Transportation Choice - walking, biking, transit, driving
- Active and Healthy Living - Access to nature, arts, people, entertainment
- Environmental & Cultural Stewardship - Access to clean water, clean air & natural spaces
- Sense of Place - Civic pride, tolerance, community, authenticity
- Creativity & Innovation - innovation, arts, creativity

P.5 - THE BURLINGTON FORM DISTRICTS

As part of the creation of the *planBTV: Downtown and Waterfront Master Plan* and the Burlington Form-Based Code, City staff and their consultant team carefully documented different elements of the existing urban form in each of the different Form Districts to extract the Burlington-specific “DNA” for each sampled area. The result is the creation of four Form Districts for Burlington’s downtown and waterfront area as follows:

- FD5 district applies to areas that have higher density of residential or commercial development often in attached or slightly detached forms providing a transition between the mixed use core and adjacent residential neighborhoods.
- FD6 - Downtown Core district applies to the core of the downtown with the highest density of residential or commercial development in attached or slightly detached forms.

LESS URBAN

MORE URBAN

FD5 - DOWNTOWN CENTER

FD6 - DOWNTOWN CORE



P.6 - ORGANIZATION OF THE BURLINGTON FORM-BASED CODE

The following offers a brief overview of the organization of the Form-Based Code and where to find the information that may be applicable to a given development proposal.

PREAMBLE

A PLACE-BASED APPROACH TO ZONING



An overview of Burlington's form and character. This text is not regulatory and is intended to provide an introduction and overview of the Burlington Form-Based Code.

SECTION 14.1

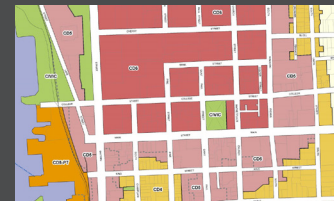
PURPOSE & APPLICABILITY



Provides an outline for the Structure of the Form-Based Code and establishes the overall intent and applicability of the Code within the Burlington Comprehensive Development Ordinance (CDO)

SECTION 14.2

REGULATING PLAN



Establishes the Downtown and Waterfront District Regulating Plan and the Form Districts and where they apply within the City.

SECTION 14.3

SPECIFIC TO FORM DISTRICTS



Establishes regulatory standards governing building form and other related matters, such as land use and Signs, within the districts.

SECTION 14.4

SPECIFIC TO BUILDING TYPES



Establishes standards for a wide range of building types found within Burlington's downtown that are appropriate for walkable, transit-supportive urban environments.

SECTION 14.5

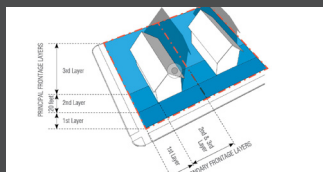
SPECIFIC TO FRONTAGE TYPES



Establishes standards for a wide range of building frontages that provide the transition between the public street and the private realm within buildings.

SECTION 14.6

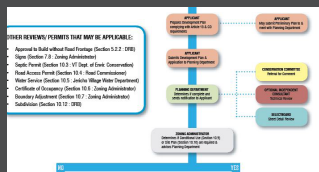
SUPPLEMENTAL TO FORM DISTRICTS



Establishes general development standards that apply across multiple Form Districts for topics such as parking, Signs and standards for specific uses.

SECTION 14.7

ADMINISTRATION & PROCEDURES



Establishes procedures for processing and reviewing developments under the Form-Based Code.

SECTION 14.8

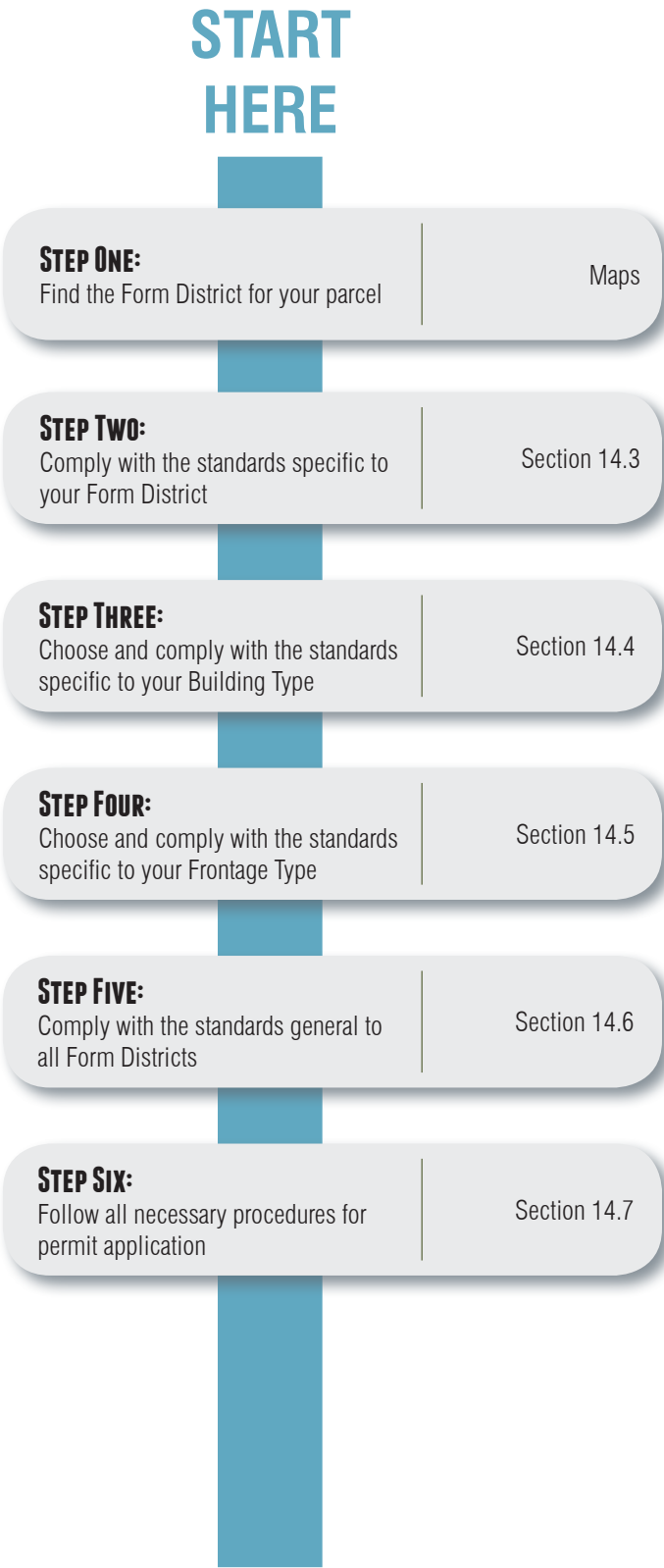
FORM-BASED CODE GLOSSARY



Provides definitions for certain terms used throughout the Form-Based Code.

P.7 - HOW TO USE THE FORM-BASED CODE

In graphic form, the illustration below highlights the basic steps to follow in using the Burlington Form-Based Code. This is illustrative only and is not intended to set forth specific administration and procedures, which are set forth more fully in Section 14.7 (Administration and Procedures).



PURPOSE AND APPLICABILITY OF THE BURLINGTON FORM-BASED CODE

SUBSECTIONS:

- 14.1.1 Purpose
- 14.1.2 Intent
- 14.1.3 Applicability

14.1.1 - PURPOSE

Article 14-Burlington Form-Based Code is adopted as part of the *Burlington Comprehensive Development Ordinance* (CDO) to regulate development in the Downtown and Waterfront District as defined on Map 1-Regulating Plan (Section 14.2). Article 14 emphasizes the intended physical form and character of place and compatibility of uses. The organizing principle of Article 14 is based on a hierarchy of places in Burlington that range from the most rural to the most urban. The designation of Form Districts along this hierarchy is determined by the character and form, intensity of development, type of place, the mix of uses within an area. These Form Districts reinforce existing, or enable creation of new, walkable mixed-use urban environments.

This Section 14.1 establishes the overall intent and applicability of Article 14 within the Burlington Comprehensive Development Ordinance.

14.1.2 - INTENT

The intent of this Article 14-Burlington Form-Based Code is to enable, encourage and qualify the implementation of the following within the Downtown and Waterfront District:

- a) That development contiguous to urban areas should be structured in the pattern of and be integrated with the existing urban pattern, and contribute to Burlington's moderately scaled urban form emphasizing a more efficient pattern of development.
- b) That development should be compact, pedestrian-oriented and mixed-use, and enhance the community with creative design, durable materials, and quality construction.
- c) That ordinary activities of daily living should occur within walking distance of most Dwellings, allowing independence to those who do not drive, and the promotion of personal safety and Accessibility for those with disabilities in the design of publicly accessible outdoor and indoor spaces.
- d) That a range of housing types and price levels should be provided to accommodate diverse ages and incomes.
- e) That buildings and landscaping should contribute to the physical definition of streets as Civic places, and buildings at and near the street level should be composed of human-scaled elements and details that promote pedestrian interest, comfort, and safety.
- f) That development should reinforce the implementation of Complete Streets that provide for the mobility needs of all segments of our population.
- g) That architecture and landscape design should grow from local climate, topography, history, and building practice, and incorporate modern, climate-sensitive and environmentally-conscious design considerations to create healthier, more productive, and more sustainable places to live and work.
- h) That development should enhance the City's skyline and promote visual interest with a variety of roof forms and architectural styles, and architectural elements, details, and materials of a building are all integral to the whole composition.
- i) That important Civic buildings should be distinctive and appropriate to a role more important than the other Buildings that constitute the fabric of the City, and be designed and constructed to the highest standards in order to reflect community values, inspire future development, foster Civic pride, and serve as a model to others.
- j) That the preservation and renewal of Historic Buildings should be facilitated.
- k) That the intended physical form and character of development and resulting places shall be emphasized.

14.1.3 - APPLICABILITY

This Form-Based Code shall be applicable to all lands within the Downtown and Waterfront District as mapped or described on the Burlington Regulating Plan ([Section 14.2](#)), as such may be changed from time to time, pursuant to [Section 14.2](#) - Regulating Plan. Any and all subdivision of land, development and construction or modification of all Improvements, land, Buildings and Structures in the Downtown and Waterfront District shall occur only in accordance with this Article 14-Burlington Form-Based Code as in effect on the date of acceptance of the completed application for approval of the applicable Project Plan submitted pursuant to [Section 14.7](#) Administration and Procedures.

To the extent applicable and not otherwise in conflict with this Article 14-Burlington Form-Based Code, the following sections of the *Burlington Comprehensive Development Ordinance* (CDO) shall also apply:

- a) Article 1 - General Provisions
- b) Article 2 - Administrative Mechanisms;
- c) Article 3 - Applications, Permits and Project Reviews, Parts, 1, 2, 3, 5 and 6;
- d) Article 4 - Zoning Maps and Districts, Parts 1, 2, 3, and Part 5 Sec. 4.5.4;
- e) Article 5 - Citywide General Regulations, Parts 1, 2, 3, and 5;
- f) Article 9 - Inclusionary and Replacement Housing;
- g) Article 10 - Subdivision Review;
- h) Article 12 - Variances and Appeals; and,
- i) Article 13 - Definitions.

In each case, the standards and requirements applicable to the Downtown and Waterfront District Regulating Plan and this Article 14 shall take precedence without limitation over any duplicative or conflicting provisions of the other Articles of the Burlington Comprehensive Development Ordinance (BCDO).

If there is any conflict between the provisions of this Article 14 and any provisions of any other existing City codes, ordinances, regulations or standards (the "Existing Local Codes"), the provisions of this Article 14 shall take precedence over such conflicting provisions except for City and state Building, Fire, Health and Safety Codes.

The graphics, illustrations, photographs, tables and metrics of are an integral part of the Burlington Form-Based Code; however:

- a) Photographs are provided only as general illustrative examples and are not binding;
- b) The illustrations of [Table 14.3-A](#) - Burlington Form Districts Summary Table, [Table 14.4-B](#) - Building Types Summary Table, [Table 14.5-A](#) - Frontage Types Summary Table and [Table 14.6.10-B](#) - Sign Types Summary Table and [Tables 14.6.10-C through 14.6.10-K](#) are provided only as general illustrative descriptions and are not binding;
- c) The diagrams, photographs and illustrations contained in Sections 14.3.4 through 14.3.8 (Specific to Form Districts, Special Districts), [Sections 14.4.4 through 14.4.14](#) (Specific to Building Types), and [Sections 14.5.4 through 14.5.16](#) (Specific to Frontage Types) are provided only to indicate the general character of the various Form Districts and elements. References to metrics shown thereon shall have regulatory effect.
- d) The graphics, illustrations, photographs in [Section 14.8](#) - Glossary are provided for illustrative purposes only and are not binding;
- e) The illustrations of the Civic Space Types on [Section 14.6.12](#) - Civic Spaces are provided diagram provided for illustrative purposes only and are not binding, but the assignment of each Civic Space Type to the various Form Districts are binding;
- f) The graphical depictions of the Form Districts on the various Tables are provided for ease of reference only and are not binding. The Form District designations and standards applicable to each Form District are binding.

Where in conflict, metrics represented in text and/or tables shall take precedence over metrics represented graphically, and a more specific standard shall take precedence a more general standard.

SECTION 14.2: REGULATING PLAN

SUBSECTIONS:

- 14.2.1 Purpose
- 14.2.2 Applicability
- 14.2.3 Regulating Plan Amendments
- 14.2.4 Form Districts
- 14.2.5 Civic Space
- 14.2.6 Special Requirements

14.2.1 - PURPOSE

This Section 14.2 establishes the Downtown and Waterfront District Regulating Plan (Map 1-Regulation Plan) which provides the geographic framework to define and describe the location and nature of all regulation of Improvements, land, Structures, Buildings and Lots within the Downtown and Waterfront District.

14.2.2 - APPLICABILITY

The Downtown and Waterfront District Regulating Plan (Map 1 - Regulating Plan) is adopted as an element of the “Official Zoning Map, City of Burlington VT” established under Section 4.1.1 of the *Burlington Comprehensive Development Ordinance*. The Downtown and Waterfront District Regulating Plan indicates the boundaries of the Downtown and Waterfront District, and the applicable Form Districts, Civic Spaces, Special Requirements, and any other elements. The Official Map of the City of Burlington and the Waterfront Core Official Map established under Article 4, Part 2 of the *Burlington Comprehensive Development Ordinance* shall also have applicability within the Downtown and Waterfront District.

All Development, redevelopment and Improvements to land, Structures, Buildings and Lots within Downtown and Waterfront District shall comply with the Downtown and Waterfront District Regulating Plan and the elements and standards for such applicable Form Districts, Civic Spaces, and Special Requirements reflected on the Downtown and Waterfront District Regulating Plan.

14.2.3 - DOWNTOWN AND WATERFRONT DISTRICT REGULATING PLAN AMENDMENTS

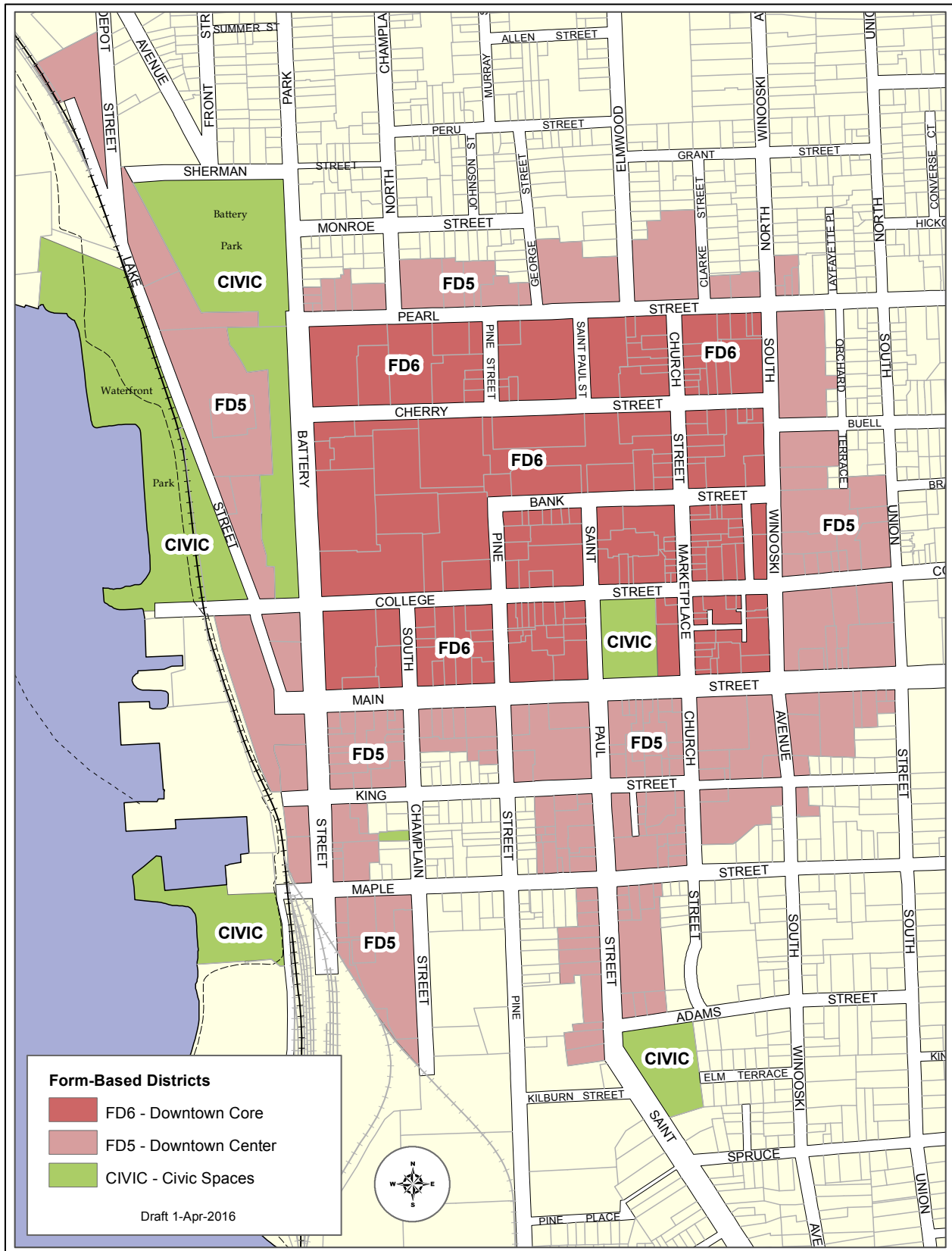
The Downtown and Waterfront District Downtown and Waterfront District Regulating Plan may be amended from time to time pursuant to Section 4.1.3 of the *Burlington Comprehensive Development Ordinance*.

14.2.4 - FORM DISTRICTS

A Form District is one of several areas on the Downtown and Waterfront District Regulating Plan to which certain development, Lot and building standards, and other elements of the intended built environment are applicable. Form Districts shall be assigned for and mapped on the Downtown and Waterfront District Regulating Plan, and as applicable, for and on each proposed Downtown and Waterfront District Regulating Plan Amendment and Development Plan. As depicted on the Downtown and Waterfront District Regulating Plan- Map 1, in the Burlington Downtown & Waterfront District there are two (2) Form Districts as follows :

- a) FD6 - Downtown Core (Section 14.3.4 - Specific to Form Districts - Downtown Core)
- b) FD5 - Downtown Center (Section 14.3.5 - Specific to Form Districts - Downtown Center)

MAP 1 - REGULATING PLAN



14.2.5 - CIVIC SPACE

A Civic Space (CS) is an area dedicated for Civic use and defined by the combination of certain physical constants and Improvements, including the relationships among their intended use, size, landscaping and any Enfronting Buildings.

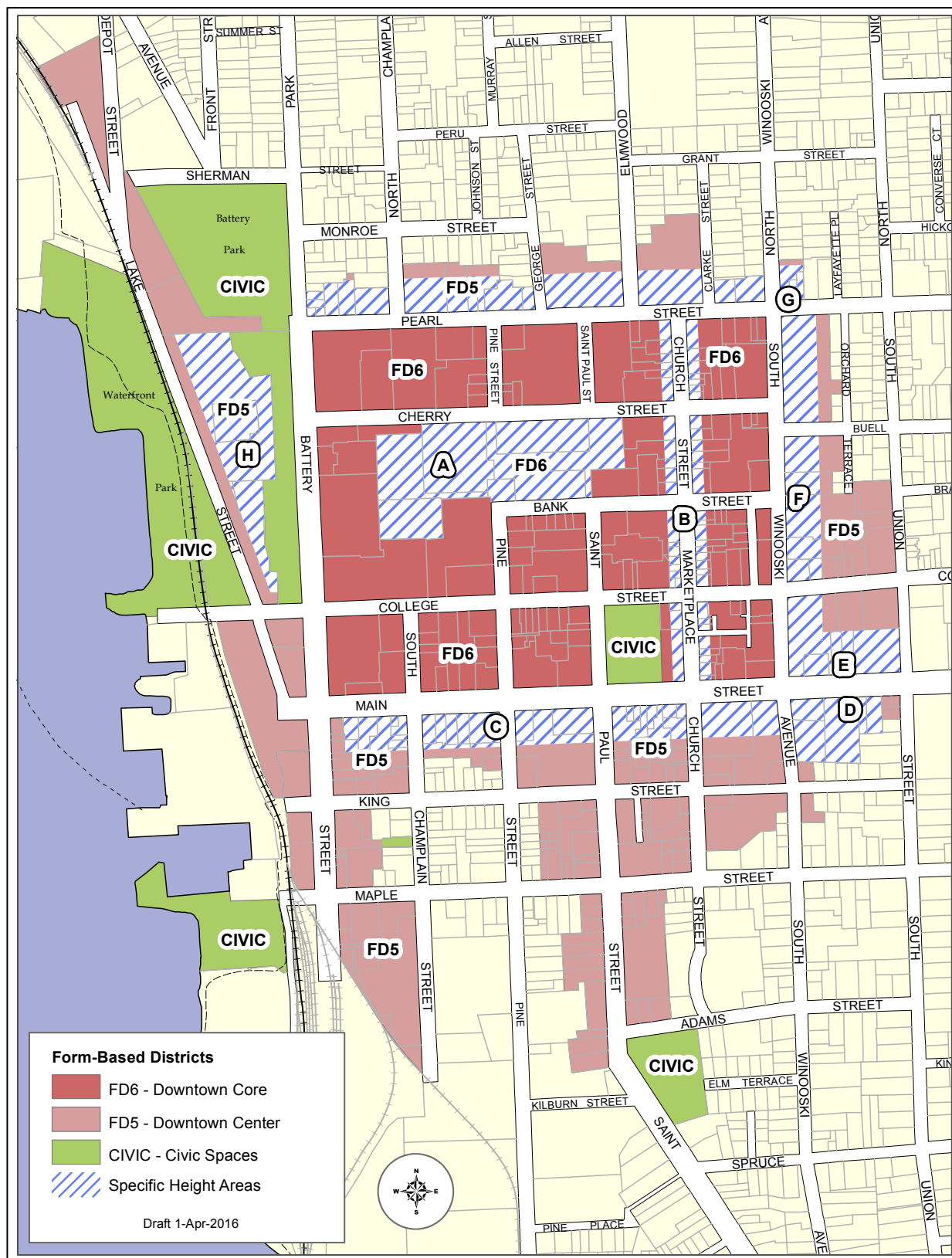
Civic Space assigned and mapped on the Downtown and Waterfront District Regulating Plan are areas that are owned and operated by the City and which are already dedicated for one or more Civic purposes. Additional Civic Spaces as established and described in [Section 14.3.7 Civic Spaces](#), may be incorporated into new development or established independently as may be permitted in each of the various Form Districts.

14.2.6 - SPECIAL REQUIREMENTS

The Downtown and Waterfront District Regulating Plan also designates Special Requirements listed below and as depicted on Map 2 - Specific Height Areas and Downtown and Map 3 - Shopfronts Required. Where the Downtown and Waterfront District Regulating Plan designates any one or more of such Special Requirements, the following standards shall be applied:

- a) Specific Height Areas - Areas within Form Districts where the height limit of Buildings differs from that specified for the applicable Form District and as regulated by [Section 14.6](#) Supplemental to Form Districts - Building Height as depicted on Downtown and Waterfront District Regulating Plan - Map 2 Specific Height Areas shall be as follows:
 - i. The height of a Building in FD6 with a Principal Frontage in the area identified as "A" on Map 2 - Specific Height Areas as illustrated may be increased to a maximum of XX Stories not to exceed XXX feet.
 - ii. The height of a Building in FD6 with a Principal Frontage on the Church Street Marketplace District in the area identified as "B" on Map 2 - Specific Height Areas shall be decreased to a maximum of 4 Stories not to exceed 45 feet. Any portion of a building exceeding 45-feet shall be set-back a minimum of 10-feet for every 10-feet of additional building height above 45-feet.
 - iii. The height of a Building in FD5 with a Principal Frontage on the south side of Main Street, west of S. Winooski Ave. in the area identified as "C" on Map 2 - Specific Height Areas as illustrated may be increased to a maximum of 9 Stories not to exceed 95 feet.
 - iv. The height of a Building in FD5 with a Principal Frontage on the south side of Main Street, east of S. Winooski Ave. in the area identified as "D" on Map 2 - Specific Height Areas as illustrated may be increased to a maximum of 6 Stories not to exceed 65 feet.
 - v. The height of a Building in FD5 with a Principal Frontage on the north side of Main Street, east of S. Winooski Ave. in the area identified as "E" on Map 2 - Specific Height Areas as illustrated may be increased to a maximum of 8 Stories not to exceed 85 feet.
 - vi. The height of a Building in FD5 with a Principal Frontage on S. Winooski Ave. south of Buell St. in the area identified as "F" on Map 2 - Specific Height Areas may be increased to a maximum of 6 Stories not to exceed 65 feet to a depth of 150' from the Frontage Line.
 - vii. The height of a Building in FD5 with a Principal Frontage on Pearl Street and South Winooski Ave. north of Buell St. in the area identified as "G" on Map 2 - Specific Height Areas may be increased to a maximum of 6 Stories not to exceed 65 feet to a depth of 150' from the Frontage Line.
 - viii. The height of a Building in FD5 with a Principal Frontage on Lake Street in the area identified as "H" on Map 2 - Specific Height Areas may be incrementally increased beyond 50' from the Lake St. Frontage Line in order to establish a second Façade and Frontage along Battery Park Extension with the building having a presence of no more than 1 Story not to exceed 20 feet facing Battery Park Extension.
 - ix. The DRB may increase the applicable depths from the Frontage Line as noted above, not to exceed an additional 20 feet, in order to match an existing rear property line.
- b) Shopfront Required - Areas within Form Districts where a Shopfront Frontage Type per the requirements of [Sec. 14.5.12](#) are required as illustrated on the Downtown and Waterfront District Regulating Plan - Map 3 - Shopfronts Required. The required Shopfront Frontage may be used in conjunction with a Courtyard, Arcade, Gallery and/or Terrace Frontage Type as regulated per the requirements of [Sec. 14.5](#).

MAP 2 - SPECIFIC HEIGHT AREAS



SECTION 14.3: SPECIFIC TO FORM DISTRICTS

SUBSECTIONS:

14.3.1	Purpose
14.3.2	Applicability
14.3.3	Form Districts General
14.3.4	FD6 Downtown Core (FD6)
14.3.5	FD5 Downtown Center (FD5)
14.3.6	Civic Spaces

14.3.1- PURPOSE

This Section provides regulatory standards governing Building form standards, use, parking and Sign standards for each Form District. Article 14 - Burlington Form-Based Code is a reflection of the community vision for implementing the intent of *planBTV–Downtown & Waterfront Master Plan* to create places of walkable Urbanism. These standards are intended to ensure that all proposed development is compatible with existing and future development on neighboring properties and produces a walkable, urban environment.

14.3.2-APPLICABILITY

All Development, redevelopment and Improvements to land, Structures, Buildings and Lots within Downtown and Waterfront District shall comply with all standards of [Section 14.3](#) (Specific to Form Districts) including all Tables specific to each Form District, and shall be considered in combination with the standards of [Section 14.4](#) (Specific to Building Types), [Section 14.5](#) (Specific to Private Frontage Types) and [Section 14.6](#) (Supplemental to Form Districts).

The standards and requirements applicable to a Form District shall modify and take precedence without limitation over any duplicative or conflicting provisions of [Section 14.6](#) (Supplemental to Form Districts).

14.3.3- FORM DISTRICTS GENERAL

The following shall be applicable to all Form Districts:

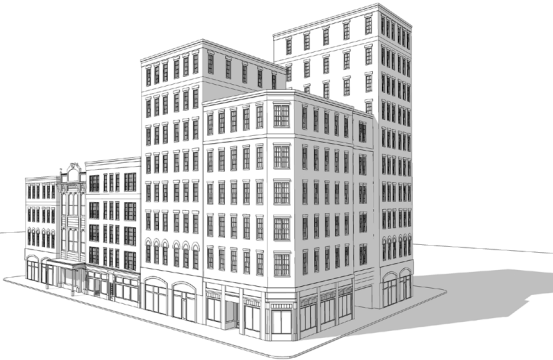
- Lots being newly platted or re-platted shall be dimensioned as allowed for by the applicable Form District or Building Type as may be applicable.
- Buildings shall be disposed in relation to the boundaries of their Lots according to the standards shown for the applicable Form District in this Section.
- One or more Principal Buildings at the Frontage, and one or more Outbuildings and Backbuildings to the rear of the Principal Building, may be built on each Lot.
- Residential development must be cognizant of nearby non-residential uses in their design and construction, so as to minimize disturbance to residents. Accommodations for residential uses shall not undermine the overall development intent and objectives in FD6 and FD5.

Table 14.3-A - The Burlington Form Districts Summary Table provides an overview of the Burlington Form Districts.

TABLE 14.3-A- THE BURLINGTON FORM DISTRICTS SUMMARY TABLE [NOT-REGULATORY]

FD5 – DOWNTOWN CENTER

FD6 – DOWNTOWN CORE



INTENT

To enhance the vibrant urban center with a variety of high density building types. Provide locally and regionally serving office, retail, service, hospitality, entertainment, Civic functions, as well as a wide variety of urban housing choices. This district also aims to reinforce the walkable nature of the urban core of the city.

INTENT

To enhance the vitality of the urban core with a variety of high density building types. Provide locally and regionally serving office, retail, service, hospitality, entertainment, Civic functions, as well as a wide variety of urban housing choices. This district also aims to reinforce the walkable nature of the urban core of the city.

DESIRED FORM

- Attached buildings
- Small to large footprint
- Building at the frontage line
- No side Setback
- 3 to 6 stories
- Outbuildings not common

DESIRED FORM

- Attached buildings
- Small to large footprint
- Building at the frontage line
- No side Setback
- 3 to ~~XX~~ stories
- Outbuildings not common

GENERAL USE

Vertically Mixed Uses: retail, service, hospitality, entertainment, Civic, on the ground floor with residential and other commercial uses on upper floors.

GENERAL USE

Vertically Mixed Uses: retail, service, hospitality, entertainment, Civic, on the ground floor with residential and other commercial uses on upper floors.

FD6

14.3.4 - FD6 - DOWNTOWN CORE

14.3.4-A- INTENT

To enhance the vitality of the urban core with a variety of high density building types. Provide locally and regionally serving office, retail, service, hospitality, entertainment, Civic functions, as well as a wide variety of urban housing choices. This district also aims to reinforce the walkable nature of the urban core of the city. The urban form should enhance the pedestrian experience and encourage year-round activity at the street level.

Attached buildings

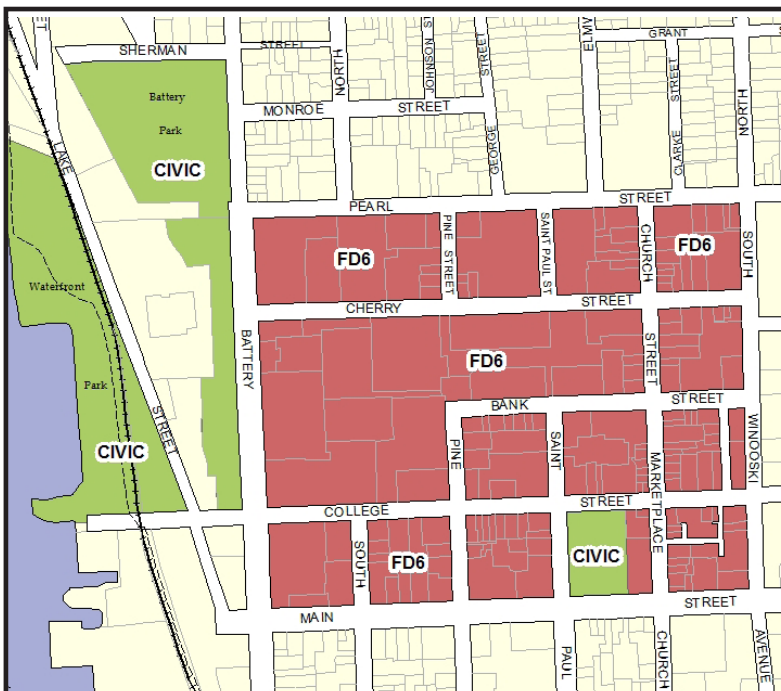
Small to large footprints

Buildings at the frontage line

No side Setback

3 to XX stories

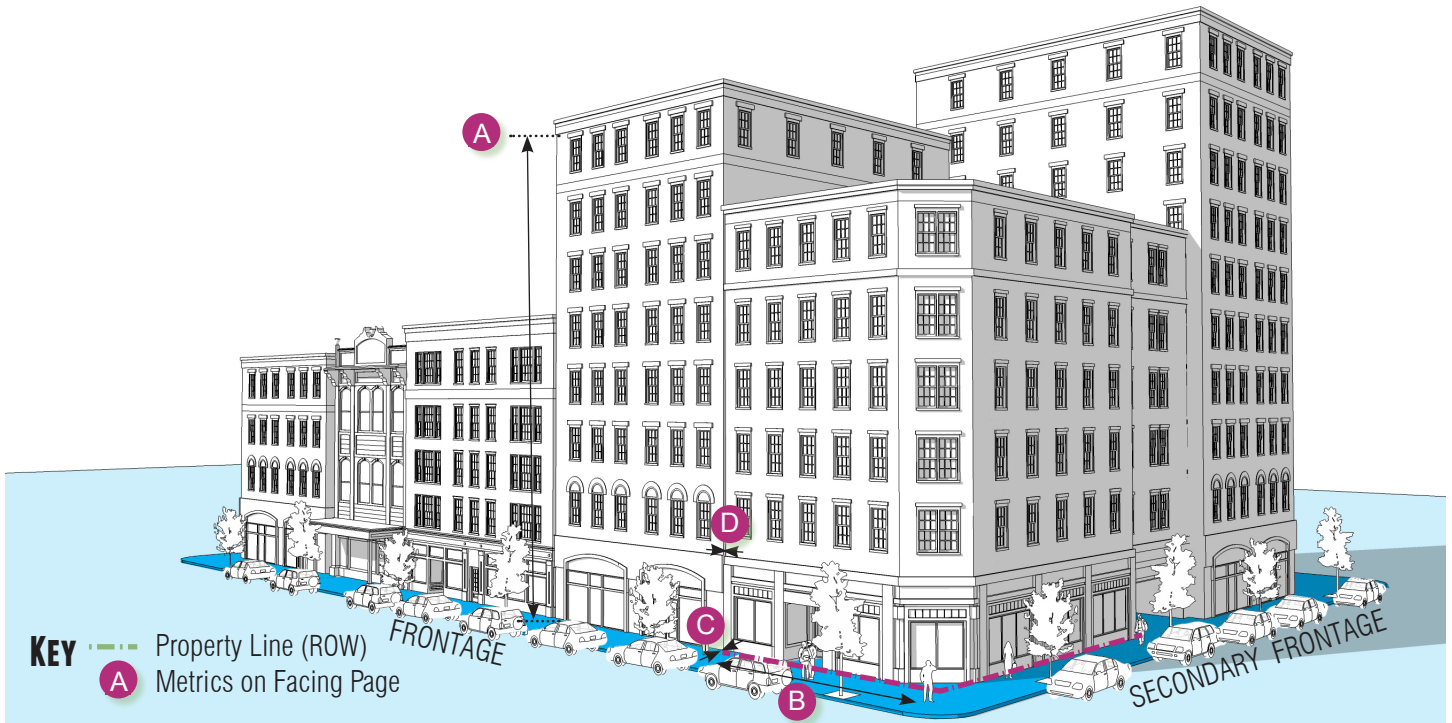
Outbuildings uncommon



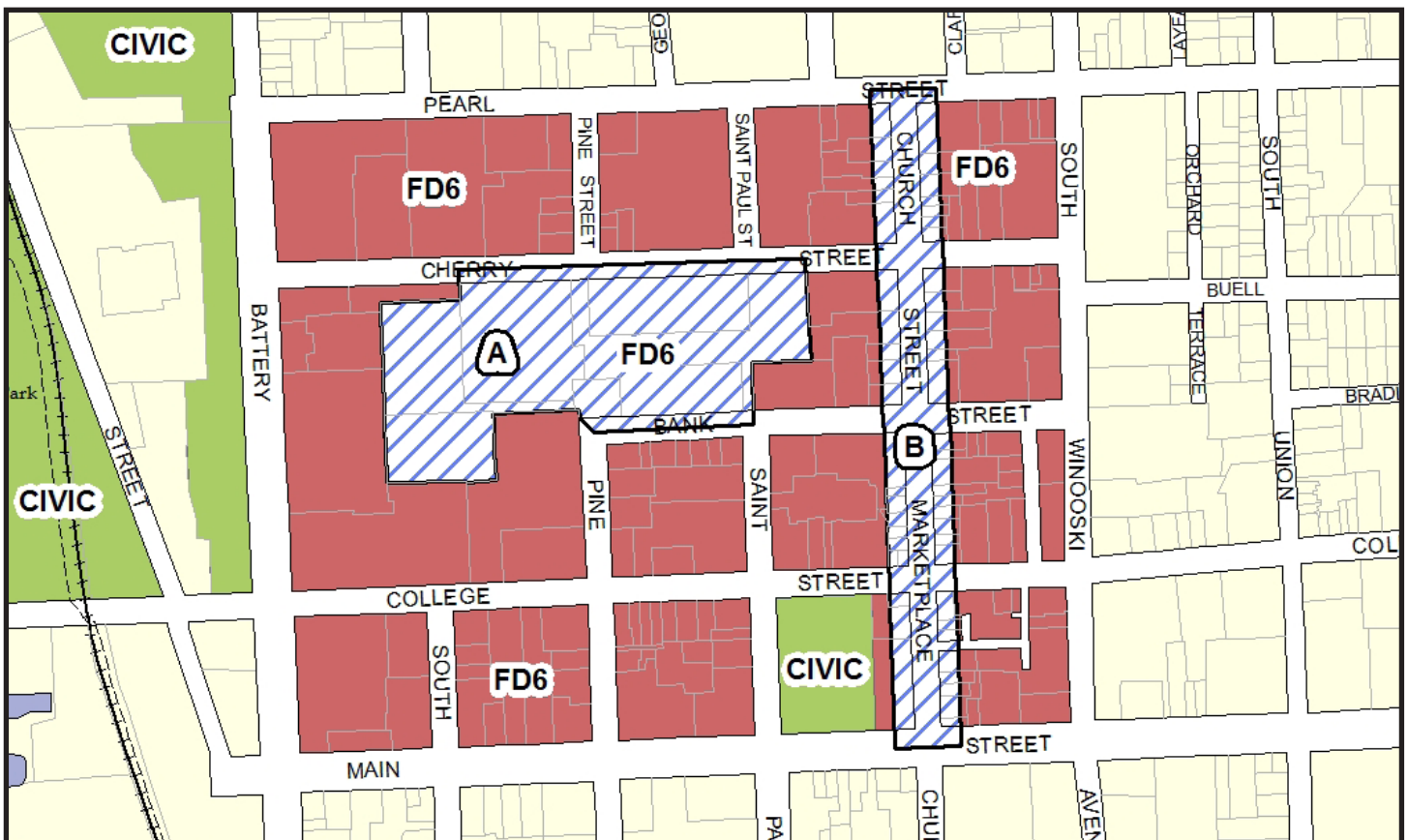
14.3.4-B- ALLOWED BUILDING TYPES

BUILDING TYPE	STANDARDS
Rowhouses ¹	Section 14.4.7
Multi-Family: Small ¹	Section 14.4.8
Multi-Family: Large ¹	Section 14.4.9
Mixed-Use	Section 14.4.10
Perimeter	Section 14.4.11
Civic	Section 14.4.12

¹ Only permitted where a Shopfront Frontage Type is not required.



THE DIAGRAM ABOVE IS FOR ILLUSTRATIVE PURPOSES ONLY. METRICS SHOWN THEREON SHALL HAVE REGULATORY EFFECT.



14.3.4-C- BUILDING FORM

BUILDING HEIGHT

A

Principal Buildings	<u>By Right:</u> <ul style="list-style-type: none"> 3 Stories min. 4 Stories max., not to exceed 45 feet on the Church St Marketplace¹ otherwise, 6 Stories max., not to exceed 65 feet
---------------------	---

Subject to DRB Review²:

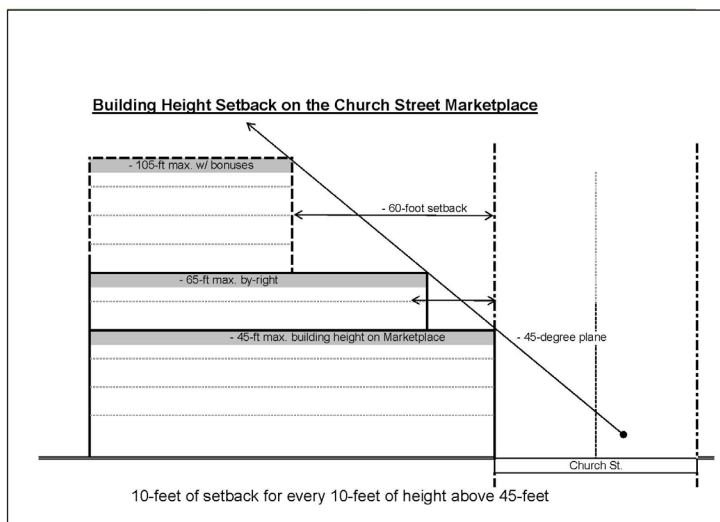
- 9 Stories max., not to exceed 95 feet
- xx Stories max., not to exceed xxx feet

Outbuildings	2 Stories max. not to exceed 24 feet
--------------	--------------------------------------

¹ Subject to Regulating Plan Special Requirements - Map 2 (See Sec. 14.2.6) as summarized below:

A Building with a Principal Frontage in the area identified as:

- "B" on Downtown and Waterfront District Regulating Plan - Map 2 shall be decreased to a maximum of 4 Stories not to exceed 45 feet. Any portion of a building exceeding 45-feet shall be set-back a minimum of 10-feet for every 10-feet of additional building height above 45-feet as illustrated below:



² Subject to Regulating Plan Special Requirements - Map 2 (See Sec. 14.2.6) as summarized below, and DRB Review per Sec. 14.6.5-d.

A Building with a Principal Frontage in the area identified as:

- "A" on Downtown and Waterfront District Regulating Plan - Map 2 may be increased to a maximum of xx Stories not to exceed xxx feet.

14.3.4-C- BUILDING FORM

BUILDING BULK (MAX AREA PER FLOOR)

Floors 1-5	100% of lot max.
Floors 6-8	80% of lot max.
Floors 9+	40% of lot max.

14.3.4-D- LOT OCCUPATION & BUILDING PLACEMENT

Block Perimeter	2,000 ft max.
Pervious Area	10% min.
Frontage Buildout	100% min. along a Primary Frontage
	80% min. along a Secondary Frontage
Ground Floor Entries (linear distance along the Primary Frontage)	60' max.

BUILDING DISPOSITION

STANDARDS

Sideyard	Section 14.6.3
Rearyard	Section 14.6.3

BUILDING SETBACK

Front Setback:

- Principal Buildings	- 0' min.; 6' max. - in no event less than 12' from the curb.
- Outbuildings	In third Lot Layer

Front Setback Exceptions:

In no event shall a Building be set closer than 15' from the curb along Main St from S. Winooski to Battery St. and S. Winooski Ave from Main to Pearl St., or closer than 12' from the curb along all other streets.

For additional exceptions and variations regarding front setbacks provided as part of a specific Frontage Type see Sec. 14.5.

Side Setback:

- Principal Buildings	0' min. - 12' max.
- Outbuildings	0' min. or 3' min. on secondary frontage

Rear Setback:

- Principal Buildings	0' min. or 15' from rear Alley centerline
- Outbuildings	0' min. or 15' from rear Alley centerline

14.3.4-E- PARKING, LOADING & SERVICE

ON-SITE PARKING

On-site parking shall be provided per the requirements of [Sec. 14.6.8](#).

LOCATION ON THE LOT

Parking Areas shall be located in the Third Lot Layer.

Garages shall be located in the Third Lot Layer. Garages may be located in the First or Second Lot Layer only if located below-grade or above the first Story.

Vehicular entrances and Driveways to Loading Areas, Parking Lots, Parking Areas, Garages and Parking Structures shall be no wider than 24 feet at the Frontage.

MISCELLANEOUS

At least one pedestrian route from all Parking Areas, Garages and Parking Structures shall lead directly to a Frontage Line (i.e., not directly into a Building).

See also [Sec. 14.6.8](#) for additional requirements pertaining to parking and site design.

14.3.4-F- ENCROACHMENTS - REQUIRED SETBACKS

ENCROACHMENT TYPE	FRONT	REAR
Steps to Building Entrance	A	A
Other Architectural Features ¹	4' max.	4' max.
Landscaping	A	A
Fences or freestanding walls	-	6' max. height
Driveways, Walkways	A	A
Utility Structures	-	A

KEY

Encroachment Allowed: A

Encroachment Not Allowed: -

¹ Building eaves, roof overhangs, solar shades and light shelves; bay windows, oriels and vestibules that are less than ten feet wide; and cornices, belt courses, sills, buttresses or other similar architectural features may encroach into a required setback up to four (4) feet, provided that such extension does not encroach a property line.

14.3.4-G- ENCROACHMENTS - PUBLIC RIGHT-OF-WAY

(Along Principal and Secondary Frontages)

ENCROACHMENT TYPE	PUBLIC ROW
Frontage Type:	
Shopfront: Awning and Canopy	Allowed ¹
Officefront: Awning and Canopy	Allowed ¹
Other Architectural Features - Minimum 10 ft above the Sidewalk	4' max.
Signs	Allowed ²

¹ Subject to Awning and Canopy standards in [Sec. 14.4.13](#).

² With the exception of Freestanding Signs, Signs may Encroach into the ROW subject to the limits set forth in [Sec. 14.6.10](#).

14.3.4-H- SIGN TYPES

ALLOWED SIGN TYPES	STANDARDS
Awning & Canopy Sign	14.6.10-C
Band	14.6.10-D
Blade	14.6.10-E
Freestanding ¹	14.6.10-F
Marquee	14.6.10-G
Nameplate	14.6.10-H
Outdoor Display Case	14.6.10-I
Wall	14.6.10-J
Window	14.6.10-K

¹ 14' height max.

MISCELLANEOUS

See [Sec. 14.6.10](#) for specific standards regarding each Sign Type.

14.3.4-I- USE TYPE**FD6**

Uses not specifically listed in a use table, and that are not similar in nature and impact to a use that is listed, are not permitted.

RESIDENTIAL - GENERAL

Attached Dwellings	P
--------------------	---

RESIDENTIAL - SPECIAL

Assisted Living	P
-----------------	---

Boarding House ¹	P
-----------------------------	---

Community House (Sec. 14.6.7.d)	P
---------------------------------	---

Convalescent /Nursing Home	P
----------------------------	---

SHORT-TERM ACCOMODATIONS

Bed and Breakfast ¹	P
--------------------------------	---

Historic Inn (Sec. 14.6.7.b)	P
------------------------------	---

Hotel, Motel	P
--------------	---

Shelter	P
---------	---

RETAIL - GENERAL

ATM	P
-----	---

Auto/Boat/RV Sales/Rentals ³	P
---	---

Convenience Store	P
-------------------	---

Fuel Service Station ² (Sec. 14.6.7.c)	CU
---	----

General Merchandise/Retail	P
----------------------------	---

RETAIL - OUTDOOR

Open Air Markets	P
------------------	---

OFFICE & SERVICE**KEY**

Permitted Use	P
Conditional Use	CU

END NOTES

¹Must be owner-occupied.

²Automobile sales not permitted as an Accessory Use

³ Exterior storage and display not permitted.

⁴ Parking Structures shall be located behind a Perimeter Building (see Sec. 14.4.11).

14.3.4-I- USE TYPE**FD6**

Animal Grooming	P
-----------------	---

Auto/Boat/RV Service ³ (Sec. 14.6.7.c)	P
---	---

Beauty Salon/Barber Shop/Spa	P
------------------------------	---

Car Wash	P
----------	---

Crisis Counseling Center (Sec. 14.6.7.g)	P
--	---

Office – General	P
------------------	---

Office – Medical	P
------------------	---

Dry Cleaning Service	P
----------------------	---

Funeral Home	P
--------------	---

Health Club/Studio	P
--------------------	---

Laundromat	P
------------	---

Mental Health Crisis Center	P
-----------------------------	---

Tailor Shop	P
-------------	---

HOSPITALITY/ ENTERTAINMENT/ RECREATION

Aquarium	P
----------	---

Art Gallery/Studio	P
--------------------	---

Bar, Tavern	P
-------------	---

Billiards, Bowling & Arcade	P
-----------------------------	---

Café	P
------	---

Cinema	P
--------	---

Club, Membership	P
------------------	---

Community Center	P
------------------	---

Conference/Convention Center	P
------------------------------	---

Museum	P
--------	---

Performing Arts Center	P
------------------------	---

Performing Arts Studio	P
------------------------	---

Recreational Facility - Indoor	P
--------------------------------	---

Restaurant	P
------------	---

Restaurant – Take Out	P
-----------------------	---

14.3.4-I- USE TYPE

FD6

MANUFACTURING/ PRODUCTION/ STORAGE

Dental Lab	P
Food Processing	P
Machine/Woodworking Shop ³	P
Manufacturing ³	P
Manufacturing – Tour Oriented ³	P
Medical Lab	P
Production Studio	P
Photography Lab	P
Printing Plant	P
Research Lab	P
Warehouse/Storage ³	P
Warehouse, Self-Storage ³	P

EDUCATION & DAY CARE

Day Care – Adult	P
Daycare – All (Sec. 14.6.7.a)	P
School – Post-Secondary & Community College	P
School – Primary	P
School – Secondary	P
School, -Trade, or Professional	P

CIVIC

Courthouse	P
Fire Station	P
Library	P
Park	P
Police Station	P
Post Office	P
Worship, Place of	P

TRANSPORTATION & UTILITIES

Recycling Center – Small ³ (2,000 sf or less)	P
Public Transit Terminal	P
Operations Center – Taxi/Bus ³	P
Parking Structure ⁴	P

KEY

Permitted Use	P
Conditional Use	CU

END NOTES

¹Must be owner-occupied.

²Automobile sales not permitted as an Accessory Use

³Exterior storage and display not permitted.

⁴Parking Structures shall be located behind a Perimeter Building (see Sec. 14.4.11).

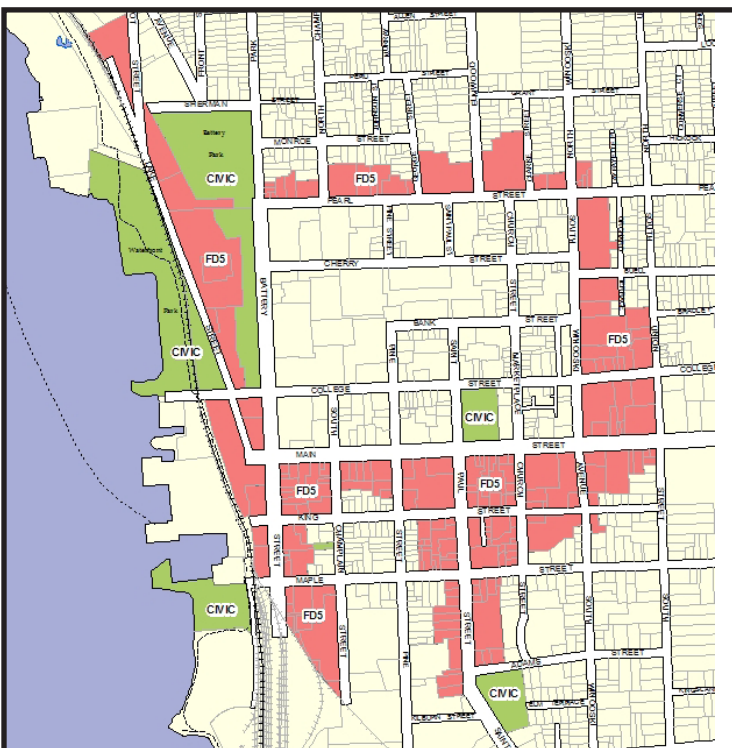
FD5

14.3.5 - FD5 - DOWNTOWN CENTER

14.3.5-A- INTENT

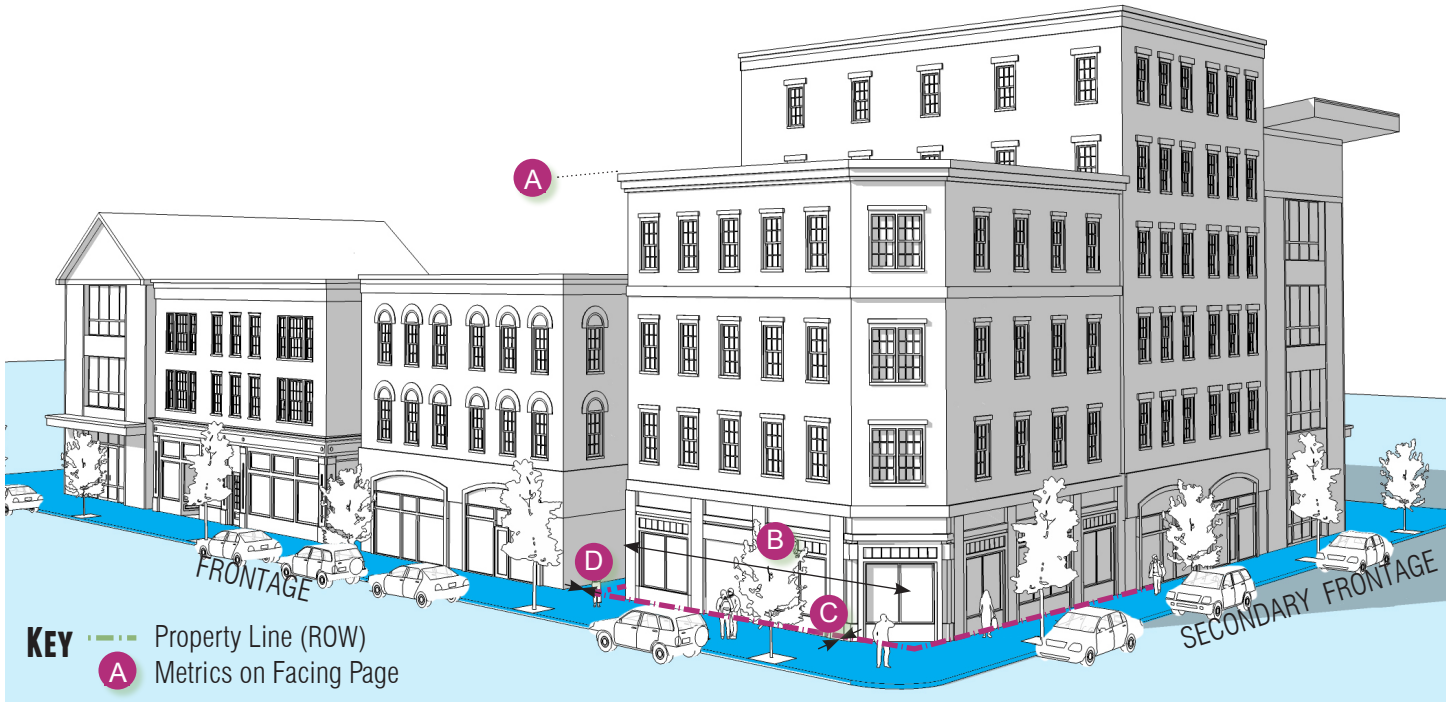
To provide a transition in scale and urban context between the urban core and adjacent residential areas. Provide locally and regionally serving office, retail, service, hospitality, entertainment, and Civic functions, as well as a wide variety of urban building types and housing choices. The urban form gives priority to pedestrians and encourages year-round activity at the street level.

- Attached buildings
- Small to large footprints
- Buildings at the frontage line
- No side Setback
- 3 to 6 stories
- Outbuildings uncommon



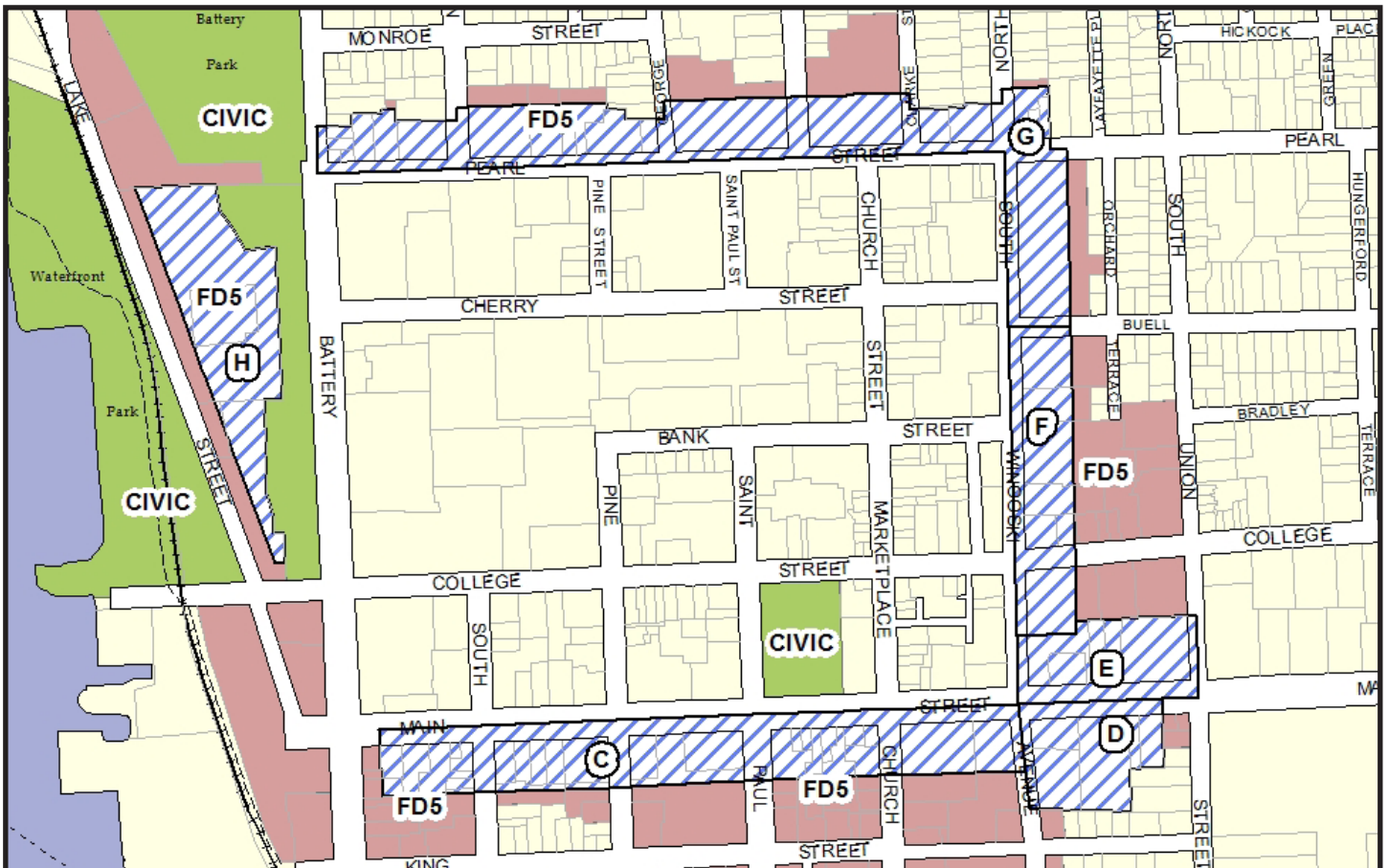
14.3.5-B- ALLOWED BUILDING TYPES

BUILDING TYPE	STANDARDS
Carriage House	Section 14.4.4
Duplex	Section 14.4.6
Rowhouses	Section 14.4.7
Multi-Family: Small	Section 14.4.8
Multi-Family: Large	Section 14.4.9
Mixed-Use	Section 14.4.10
Perimeter	Section 14.4.11
Civic	Section 14.4.12



THE DIAGRAM ABOVE IS FOR ILLUSTRATIVE PURPOSES ONLY. METRICS SHOWN THEREON SHALL HAVE REGULATORY EFFECT.

MAP 2 - SPECIFIC HEIGHT AREAS (EXCERPT ONLY, see Section 14.2.6)



14.3.5-C- BUILDING HEIGHT & BULK

BUILDING HEIGHT

Principal Building	<u>By Right:</u> A - 3 Stories min. - 4 Stories max., not to exceed 45' - 6 Stories max., not to exceed 65' in area "C" south side of Main St. <u>Subject to DRB Review ¹:</u> - 6-9 stories max., not to exceed 65-95'
--------------------	--

Outbuilding	2 Stories max. not to exceed 24'
-------------	----------------------------------

¹ Subject to Regulating Plan Special Requirements - Map 2 (See [Sec. 14.2.6](#)) as summarized below and DRB Review per [Sec. 14.6.5-d](#).

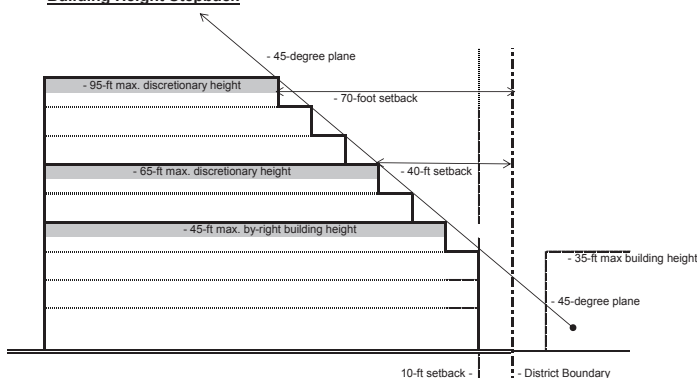
A Building with a Principal Frontage in the area identified as:

- "C" and "E" may be increased to 8 Stories not to exceed 85'.
- "D" may be increased to 6 Stories not to exceed 65'.
- "D" and "F" may be increased to 6 Stories not to exceed 65'.
- may be increased to 8 Stories not to exceed 85'.
- "G" may be increased to 5 Stories not to exceed 55'.
- "H" may be increased beyond 50' from the Lake St. Frontage Line in order to establish a second Frontage along Battery Park Extension of no more than 1 Story not to exceed 20 feet.

MISCELLANEOUS

Additional height as may be granted by the DRB per [Sec. 14.6.5-d](#) must not extend into a 45-degree angular plane projecting over the property measured from a height of 35 feet at the side or rear required setback along the shared boundary with an adjacent residential district.

Building Height Stepback



BUILDING BULK (MAX AREA PER FLOOR)

Floors 1-5	100% of lot max.
Floors 6-8	80% of lot max.

14.3.5-D- LOT OCCUPATION & BUILDING PLACEMENT

Block Perimeter	2,000 ft. max.
-----------------	----------------

Pervious Area	10% min.
---------------	----------

Frontage Buildout (within setbacks)	80% min. B
-------------------------------------	---

Ground Floor Entries (linear distance along the Primary Frontage)	60' max.
---	----------

BUILDING DISPOSITION

STANDARDS

Sidyard	Section 14.6.3
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Rearyard	Section 14.6.3
----------	--------------------------------

BUILDING SETBACK

<u>Front Setback:</u> Principal Building	- 0' min.; 6' max. C
---	---

Outbuilding	In third Lot Layer
-------------	--------------------

Front Setback Exceptions:

In no event shall a Building be set closer than 15' from the curb along Main St from S. Union to Battery St., and along S. Winooski Ave from King to Pearl St., or closer than 12' from the curb along all other streets.

For additional exceptions and variations regarding front setbacks provided as part of a specific Frontage Type see [Sec. 14.5](#).

<u>Side Setback:</u> Principal Building	- 0' min. - 12' max. - 10' min. along a shared boundary with an adjacent residential district. D
--	--

Outbuilding	0' min. or 3' min. on secondary frontage
-------------	--

<u>Rear Setback:</u> Principal Building	- 3' min. or 15' from rear Alley centerline - 10' min. along a shared boundary with an adjacent residential district.
--	--

Outbuilding	3' min. or 15' from rear Alley centerline
-------------	---

MISCELLANEOUS

Any development in the area west of Battery Street, between and including Sherman to Maple streets extended, shall also be subject to the provisions of Burlington CDO Sec. 4.2.2 Waterfront Official Map Established.

14.3.5-E- PARKING, LOADING & SERVICE

ON-SITE PARKING

On-site parking shall be provided per the requirements of [Sec. 14.6.8](#).

LOCATION ON THE LOT

Parking Areas shall be located in the Third Lot Layer.

Garages shall be located in the Third Lot Layer, but may be in the First or Second Lot Layer if below-grade or above the first Story.

MISCELLANEOUS

Vehicular entrances and Driveways to Loading Areas, Parking Lots, Parking Areas, Garages and Parking Structures shall be no wider than 24 feet at the Frontage.

At least one pedestrian route from all Parking Lots, Parking Areas, Garages and Parking Structures shall lead directly to a Frontage Line (i.e., not directly into a Building).

See also [Sec. 14.6.8](#) for additional requirements pertaining to parking and site design.

14.3.5-F- ENCROACHMENTS - REQUIRED SETBACKS

ENCROACHMENT TYPE	FRONT	REAR
Steps to Building Entrance	A	A
Other Architectural Features ¹	4' max.	4' max.
Landscaping	A	A
Fences or freestanding walls	-	6' max. height
Driveways, Walkways	A	A
Utility Structures	-	A

KEY

Encroachment Allowed: A

Encroachment Not Allowed: -

¹ Building eaves, roof overhangs, solar shades and light shelves; bay windows, oriels and vestibules that are less than ten feet wide; and cornices, belt courses, sills, buttresses or other similar architectural features may encroach into a required setback up to four (4) feet, provided that such extension does not encroach a property line.

14.3.5-G- ENCROACHMENTS - PUBLIC RIGHT-OF-WAY

(Along Primary and Secondary Frontages)

ENCROACHMENT TYPE	PUBLIC ROW
Frontage Type:	
Shopfront: Awning and Canopy ¹	Allowed
Officefront: Awning and Canopy ¹	Allowed
Other Architectural Features - Minimum 10 ft above the Sidewalk	4' max.
Signs	Allowed ²

¹ Subject to Awning and Canopy standards in [Sec. 14.4.13](#).

² With the exception of Freestanding Signs, Signs may Encroach into the ROW subject to the limits set forth in [Sec. 14.6.10](#).

14.3.5-H- SIGN TYPES

ALLOWED SIGN TYPES	STANDARDS
Awning & Canopy Sign	14.6.10-C
Band	14.6.10-D
Blade	14.6.10-E
Freestanding ¹	14.6.10-F
Marquee	14.6.10-G
Nameplate	14.6.10-H
Outdoor Display Case	14.6.10-I
Wall	14.6.10-J
Window	14.6.10-K

¹ 14' height max.

MISCELLANEOUS

See [Sec. 14.6.10](#) for specific standards by Sign Type.

14.3.5-I- USE TYPES**FD5**

Uses not specifically listed, and that are not similar in nature and impact to a use that is listed, are not permitted.

RESIDENTIAL - GENERAL

Attached Dwellings	P
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RESIDENTIAL - SPECIAL

Assisted Living	P
-----------------	---

Boarding House ¹	P
-----------------------------	---

Community House (<i>Sec. 14.6.7.d</i>)	P
--	---

Convalescent /Nursing Home	P
----------------------------	---

Group Home	P
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SHORT-TERM ACCOMODATIONS

Bed and Breakfast ¹	P
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Historic Inn (<i>Sec. 14.6.7.b</i>)	P
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Hotel, Motel	P
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Shelter	P
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RETAIL - GENERAL

ATM	P
-----	---

Automobile and RV Sales and Rental ²	P
---	---

Convenience Store	P
-------------------	---

Fuel Service Station ² (<i>Sec. 14.6.7.c</i>)	CU
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General Merchandise/Retail	P
----------------------------	---

RETAIL - OUTDOOR

Boat Sales/Rentals	P
--------------------	---

Garden Supply Store	P
---------------------	---

Open Air Markets	P
------------------	---

OFFICE & SERVICE**KEY**

Permitted Use	P
---------------	---

Conditional Use	CU
-----------------	----

END NOTES

¹Must be owner-occupied.

² Exterior storage and display not permitted.

³ Parking Structures shall be located behind a Perimeter Building (see *Sec. 14.4.11*).

14.3.5-I- USE TYPES**FD5**

Animal Grooming	P
-----------------	---

Beauty Salon/Barber Shop/Spa	P
------------------------------	---

Car Wash	P
----------	---

Crisis Counseling Center (<i>Sec. 14.6.7.g</i>)	P
---	---

Dry Cleaning Service	P
----------------------	---

Funeral Home	P
--------------	---

Health Club/Studio	P
--------------------	---

Laundromat	P
------------	---

Mental Health Crisis Center	P
-----------------------------	---

Office – General	P
------------------	---

Office – Medical	P
------------------	---

Tailor Shop	P
-------------	---

Vehicle/Boat Repair/Service ²	P
--	---

HOSPITALITY/ ENTERTAINMENT/ RECREATION

Aquarium	P
----------	---

Art Gallery/Studio	P
--------------------	---

Bar, Tavern	P
-------------	---

HOSPITALITY/ ENTERTAINMENT/ RECREATION

Aquarium	P
----------	---

Art Gallery/Studio	P
--------------------	---

Bar, Tavern	P
-------------	---

Billiards, Bowling & Arcade	P
-----------------------------	---

Cafe	P
------	---

Cinema	P
--------	---

Club, Membership	P
------------------	---

Community Center	P
------------------	---

Conference/Convention Center	P
------------------------------	---

Museum	P
--------	---

Performing Arts Center	P
------------------------	---

Performing Arts Studio	P
------------------------	---

Recreational Facility – Indoor	P
--------------------------------	---

Restaurant	P
------------	---

Restaurant – Take Out	P
-----------------------	---

14.3.5-I- USE TYPES

FD5

MANUFACTURING/ PRODUCTION/ STORAGE

Boat Storage ²	P
Dental Lab	P
Food Processing	P
Machine/Woodworking Shop ²	P
Manufacturing ²	P
Manufacturing - Tour Oriented ²	P
Medical Lab	P
Production Studio	P
Photography Lab	P
Printing Plant	P
Research Lab	P
Warehouse/Storage ²	P
Warehouse, Self-Storage ²	P

EDUCATION & DAY CARE

Day Care - Adult	P
Daycare - All (Sec. 14.6.7.a)	P
School - Post-Secondary & Community College	P
School - Primary	P
School - Secondary	P
School, -Trade, or Professional	P

CIVIC

Courthouse	P
Fire Station	P
Library	P
Park	P
Police Station	P
Post Office	P
Worship, Place of	P

14.3.5-I- USE TYPES

FD5

TRANSPORTATION & UTILITIES

Recycling Center - Small ² (2,000 sf or less)	P
Public Transit Terminal	P
Operations Center – Taxi/Bus ²	P
Parking Structure ³	P

KEY

Permitted Use	P
Conditional Use	CU

END NOTES

¹Must be owner-occupied.

² Exterior storage and display not permitted.

³Parking Structures shall be located behind a Perimeter Building (see Sec. 14.4.11).

CIVIC

14.3.6 - C - CIVIC SPACES

a) Purpose & Applicability:

The purpose of this Subsection is to provide a diverse palette of parks and other publicly accessible Civic Spaces for use within the Form Districts as essential components of walkable urban environments and vibrant community centers. The standards established in this Subsection shall be applicable to the development all proposed Civic Spaces within a Form District either independent from or in combination with other forms of development, and shall be considered independent from the standards found within each Form District

Civic Spaces established in this subsection are intended to be created independent from or in combination with other Civic Space Types and/or Building Types.

b) Civic Space Types: Table 14.3.6-A (Civic Space Types Summary Table) provides an overview of the permitted Civic Space Types. The following apply to all Civic Space Types established by this subsection and may be further defined by each type as applicable.

- i. Location: The Form District(s) in which the Civic Space type is allowed.
- ii. Size: The range of allowed sizes of the Civic Space type
- iii. Frontage: The relationship along property lines of a Civic Space to Adjacent Buildings or Lots. The front of the Lots attached to or across a Thoroughfare from a Civic Space should face on to the Civic Space to the maximum extent possible.
 - A. Building_ Lots that are attached to or across a thoroughfare from a Civic Space listed as having a "Building" frontage shall have the front of the Lot facing on to the Civic Space for a minimum of three quarters of the Civic Space perimeter.
 - B. Independent_ Lots that are attached to or across a Thoroughfare from Civic Space listed as having an "Independent" frontage may have the front, side street, or rear of the Lot facing on to the Civic Space.
- iv. Form: The placement and Disposition of objects within the Civic Space.
 - A. Natural_ Civic Spaces with a "Natural" character are designed in a natural manner with no formal arrangement of elements.
 - B. Formal_ Civic Spaces with a "Formal" character have a more rigid layout that follows geometric forms and has Trees and other elements arranged in formal patterns.
 - C. Informal_ Civic Spaces with an "Informal" character have a mix of both Formal and Natural characteristics.

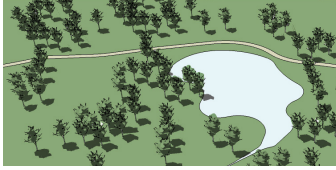
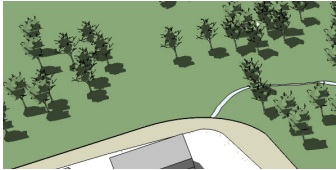


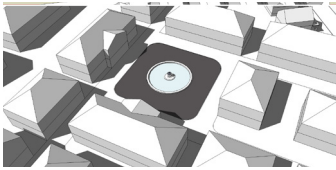




v. Coverage: The allowed proportion of Impervious Surface within the Civic Space type.

vi. Typical Facilities: A list of the typical facilities found within the Civic Space. This list is not intended to be a complete list of facilities allowed nor is it intended that every Civic Space would contain each of the facilities listed. Where allowed, Buildings, Structures and commercial concessions within a Civic Space Type shall be Accessory to the overall Civic or recreational function of the Civic Space type. Any commercial concessions shall require a licensed approved by the Parks, Recreation, Waterfront Director or the City Council as applicable.



TABLE 14.3.6-A - CIVIC SPACE TYPES SUMMARY TABLE [NOT REGULATORY]

CIVIC SPACE TYPE	ILLUSTRATION	DISTRICTS	STANDARDS
NATURAL AREA: A naturalized Open Space available predominantly for the protection and enjoyment of nature.		FD5	14.3.6-B
PARK: An Open Space available for both structured and unstructured recreation.		FD5 FD6	14.3.6-C
GREENWAY: A linear Open Space that may follow natural and transportation corridors providing unstructured and structured recreation.		FD5 FD6	14.3.6-D
SQUARE: An Open Space often located at the intersection of important Thoroughfares available for unstructured recreation, Civic purposes.		FD5 FD6	14.3.6-E
PLAZA: A predominantly hardscaped Open Space often located at the intersection of important Thoroughfares available for Civic purposes.		FD5 FD6	14.3.6-F
POCKET PARK: A small predominantly green Open Space available for passive recreation.		FD5 FD6	14.3.6-G
POCKET PLAZA: A small predominantly hardscaped Open Space available for Civic purposes.		FD5 FD6	14.3.6-H

14.3.6-B NATURAL AREA

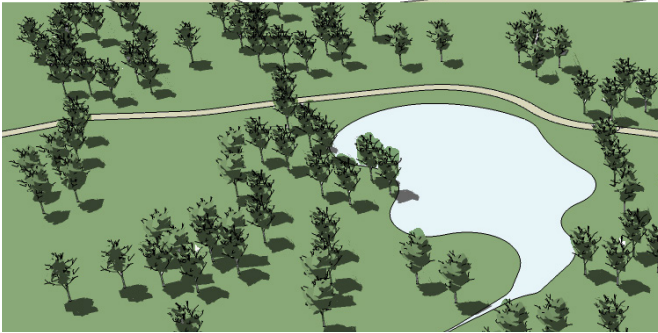


Diagram provided for illustrative purposes only.

INTENT

A natural Open Space for the protection and enjoyment of nature and available for unstructured recreation.

SPECIFICATIONS

Size	No size limits
Frontage	Independent
Character	Natural
Coverage	0% min. - 5% max.
Form District	FD5, FD6
Buldings and Structures	1,500 sqft max
Setback for Buildings and Structure	5' min

TYPICAL FACILITIES

- Passive recreation and trails
- Accessory Buldings and Structures

PARKING

No on-site parking is required.

14.3.6-C PARK



Diagram provided for illustrative purposes only.

INTENT

An Open Space available for both structured and unstructured recreation.

SPECIFICATIONS

Size	No size limits
Frontage	Independent
Character	Informal
Coverage	0% min. - 30% max.
Form District	FD5, FD6
Buldings and Structures ¹	1,500 sqft max
Setback for Buildings and Structure	none

¹ Associated Civic Buildings are not included.

TYPICAL FACILITIES

- Passive and active recreation
- Civic, recreational and community facilities
- Community gardens
- Playgrounds and play Structures
- Paths and trails
- Accessory Buldings and Structures
- Limited commercial concessions

PARKING

Surface parking is not required unless facilities for structured recreation and community events like recreation fields and courts, swimming pools and community rooms are provided.

Area required for parking shall not be counted against the lot coverage limitation.

14.3.6-D GREENWAY



Diagram provided for illustrative purposes only.

INTENT

A linear Open Space that may follow natural and transportation corridors providing unstructured and structured recreation.

SPECIFICATIONS

Size	No size limits
Frontage	Independent
Character	Informal
Coverage	No coverage limit
Form District	FD5, FD6
Buldings and Structures	1,500 sqft max
Setback for Buldings and Structures	5' min

TYPICAL FACILITIES

- Passive and active recreation
- Community gardens
- Playgrounds and play Structures
- Paths and trails
- Accessory Structures
- Limited commercial concessions

PARKING

No on-site parking is required.

14.3.6-E SQUARE



Diagram provided for illustrative purposes only.

INTENT

An Open Space often located at the intersection of important Thoroughfares available for unstructured recreation.

SPECIFICATIONS

Size	0.5 acres min. 5 acres max.
Frontage	Buildings
Character	Formal
Coverage	0% min. - 50% max.
Form District	FD5, FD6
Buldings and Structures	600 sqft max
Setback for Buldings and Structures	none

TYPICAL FACILITIES

- Passive recreation
- Paths
- Accessory Structures
- Limited commercial concessions

PARKING

No on-site parking is required.

14.3.6-F PLAZA

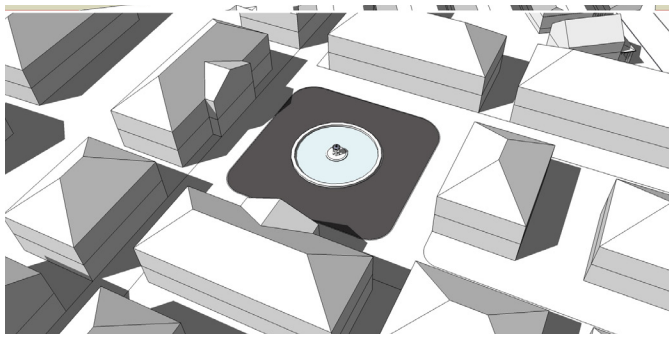


Diagram provided for illustrative purposes only.

INTENT

A predominantly hardscaped Open Space often located at the intersection of important Thoroughfares available for Civic purposes.

SPECIFICATIONS

Size	0.5 ac min. 5 ac max.
Frontage	Buildings
Character	Formal
Coverage	60% min. - 100% max.
Form District	FD5, FD6
Buldings and Structures	600 sqft max
Setback for Buldings and Structures	none

TYPICAL FACILITIES

- Passive recreation
- Paths
- Accessory Structures
- Limited commercial concessions

PARKING

No on-site parking is required.

14.3.6-G POCKET PARK

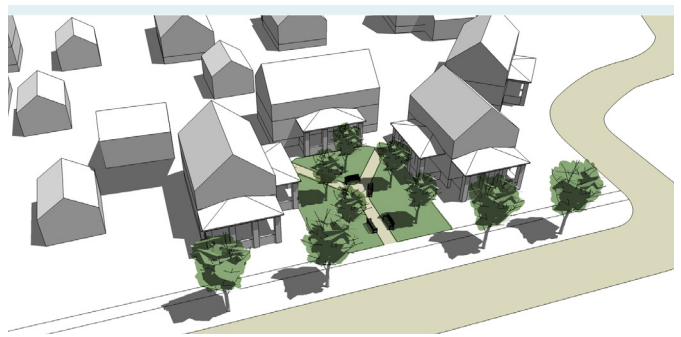


Diagram provided for illustrative purposes only.

INTENT

A small predominantly green Open Space available for passive recreation.

SPECIFICATIONS

Size	500 sf min. 0.5 ac max.
Frontage	Independent
Character	Formal
Coverage	0% min. - 50% max.
Form District	FD5, FD6
Buildings	not permitted
Setback for Structures	none

TYPICAL FACILITIES

- Passive recreation
- Community gardens
- Playgrounds and play Structures
- Paths and trails
- Limited transient commercial concessions

PARKING

No on-site parking is required.

14.3.6-H POCKET PLAZA



Diagram provided for illustrative purposes only.

INTENT

A small predominantly hardscaped Open Space available for Civic purposes.

SPECIFICATIONS

Size	500 sf min. 0.5 ac max.
Frontage	Independent
Character	Formal
Coverage	60% min. - 100% max.
Form District	FD5, FD6
Buldings and Structures	not permitted
Setback for Structures	na

TYPICAL FACILITIES

- Passive recreation
- Paths
- Limited transient commercial concessions

PARKING

No on-site parking is required.

d) Review and Approval of Civic Spaces and Civic Buildings:

The creation of new Civic Spaces or Civic Buildings, or the substantial rehabilitation of an existing Civic Space or Civic Building, shall follow the process as defined below.

Any other proposed alteration to an existing Civic Space or Civic Building shall be reviewed and approved by the Director who shall ensure oning compliance with the intent and standards of this Chapter as applicable.

Because of their important civic nature and public use, the design and form of new Civic Spaces and Civic Buildings shall be determined after:

- pre-application review and consultation with the departments of Planning and Zoning, Community and Eeconomic Development, and Parks, Recreation, Waterfront;
- a pre-application Neighborhood Public Meeting pursuant to Sec. 3.2.1 (d) of the BCDO;
- review and recommendation of the Design Advisory Board; and,
- final review and approval by the Development Review Board.

Any new Civic Spaces and Buildings intended for City ownership and/or management shall also require approval from the Park, Recreation, and Waterfront Commission.

In its discretion to approve a new Civic Space or Civic Building, the Development Review Board, after a Public Hearing, shall consider and reach an affirmative finding on each of the following:

- Conformance with the adopted land use and development plans for the area as addressed in the Municipal Development Plan; and,
- Consistency with:
 - the purpose of this ordinance;
 - the intent of the Form District where the project is located;
 - the purpose of Civic Spaces generally; and,
 - the intent of the Civic Space Type being proposed;

iii. that the proposed Civic Space or Civic Building as designed provides a positive public benefit and enhancement to the community and the context within which it is proposed.

SECTION 14.4: SPECIFIC TO BUILDING TYPES

SUBSECTIONS:

14.4.1	Purpose	14.4.9	Multi-family: Large
14.4.2	Applicability	14.4.10	Mixed-Use
14.4.3	Building Types General	14.4.11	Perimeter
14.4.4	Carriage House	14.4.12	Civic
14.4.5	<i>reserved</i>	14.4.13	Urban Design Standards
14.4.6	Duplex		
14.4.7	Rowhouse		
14.4.8	Multi-family: Small		

14.4.1- PURPOSE

This Section sets forth the standards applicable to each Building type. These standards supplement the standards for each Form District within which the Building types are allowed. These standards are intended to ensure development that reinforces the highly-valued existing character and scale of Burlington's neighborhoods and downtown.

14.4.2- APPLICABILITY

The requirements in this Section shall apply to all proposed development within the Form Districts, and shall be applied in addition to the standards for the applicable district in [Section 14.3](#) (Specific to Form Districts) and in [Section 14.5](#) (Specific to Private Frontage Types). The standards and requirements applicable to a Building Type shall modify and take precedence without limitation over any duplicative or conflicting provisions of [Section 14.3](#) (Specific to Form Districts) and [Section 14.6](#) (Applicable in all Form Districts).

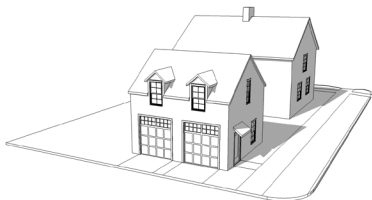
14.4.3- BUILDING TYPES GENERAL

Table 14.4.3-A (Building Types Summary Table) provides an overview of the permitted Building Types. The Building Types are not intended to indicate or suggests a specific architectural style, and their names are not intended to limit uses within a Building Type. For example, a detached house type may or may not include non-residential uses within it, such as a restaurant or office where allowed by the Form District.

TABLE 14.4-A - BUILDING TYPES SUMMARY TABLE [NOT-REGULATORY]

BUILDING TYPE

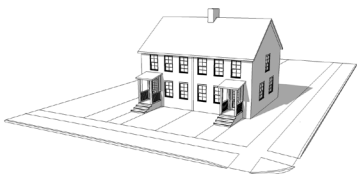
FORM DISTRICTS



CARRIAGE HOUSE:

A detached Accessory Building typically located at the rear of a lot with access through the front of the lot or to a rear Alley. This Building Type typically provides either an Accessory residential unit or space for a Home Occupation and storage above a garage and/or at ground level.

FD5






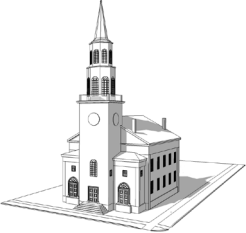


DUPLEX:

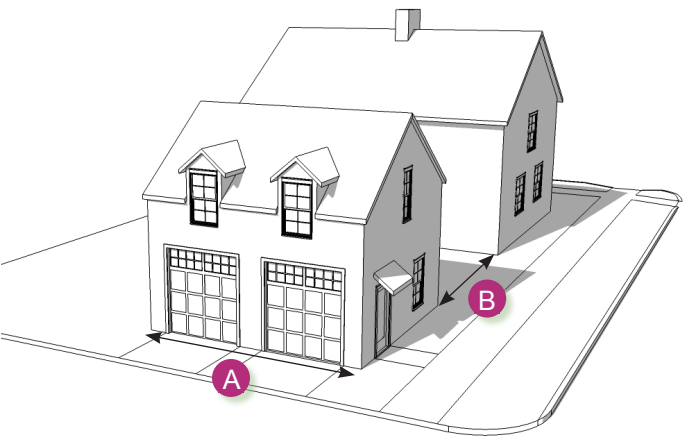
A small to medium sized detached Building that consists of two units attached to one another side-by-side by a party wall or stacked vertically. This Building Type may sit on a single lot, or span across two lots each with a single unit, with an individual entry facing the street.

FD5

TABLE 14.4-A - BUILDING TYPES SUMMARY TABLE [NOT-REGULATORY]

BUILDING TYPE	FORM DISTRICTS
	<p>ROWHOUSE: A collection of very narrow to medium sized attached Buildings each containing a single unit and connected to one another side-by-side by a party wall. Each Building has an individual entry facing the street, and groupings often share uniform plans, fenestration and architectural treatments. This Building Type may sit on a single lot, or span across multiple lots each with an individual Building.</p> <p>FD5 FD6</p>
	<p>MULTIFAMILY- SMALL: A medium sized detached Building that consists of side-by-side and/or stacked units, with individual or shared entries with at least one of which faces the street. This Building Type may often have the appearance of a large single-family home.</p> <p>FD5 FD6</p>
	<p>MULTIFAMILY- LARGE: A medium to large sized detached or attached Building consisting of side-by-side and/or stacked units, with one or more shared entries with at least one of which faces the street.</p> <p>FD5 FD6</p>
	<p>MIXED-USE: A medium to large sized attached or detached Building that provides a vertical and/or horizontal mix of uses. Units are commonly organized with pedestrian-oriented retail, hospitality or service uses on the ground floor with individual entries facing the street, and residential or office uses on upper floors served by one or more shared entries.</p> <p>FD5 FD6</p>
	<p>PERIMETER BUILDING: A shallow medium to large sized attached or detached Building that is always associated with and screens a Parking Structure or Parking Lot placed directly behind. This Building Type may provide a vertical and/or horizontal mix of uses commonly organized with pedestrian-oriented retail, hospitality or service uses on the ground floor with individual entries facing the street, and residential or office uses on upper floors served by one or more shared entries.</p> <p>FD5 FD6</p>
	<p>CIVIC: A medium to large sized attached or detached Building dedicated to a Civic Use and designed to stand apart from its surroundings due to the specialized nature of its public or quasi-public use for public assembly and activity. Examples include libraries, places of worship, courthouses, schools, centers of government, performing arts, and museums. They are often the most prominently sited and architecturally significant Structures in the community.</p> <p>FD5 FD6</p>

14.4.4 - CARRIAGE HOUSE



14.4.4-A - DESCRIPTION

ALLOWED IN

Carriage House: A detached Accessory Building typically located at the rear of a lot with access through the front of the lot or to a rear Alley. This Building Type typically provides either an Accessory residential unit or space for a Home Occupation and storage above a garage and/or at ground level.

FD5

14.4.4-B - LOT

Only allowed on Lots where the Principal Building is one of the following Building Types: Duplex or Rowhouse.

14.4.4-C - NUMBER OF UNITS

Units per building	1 max.
Carriage houses per Lot	1 max.



14.4.4-D - BUILDING SIZE AND MASSING

HEIGHT

2 Stories max.

BUILDING FOOTPRINT

Any dimension of the footprint	36' max.	A
Separation from Principal Building	10' min ¹	B

¹ Carriage house may be connected to the Principal Building by a Backbuilding.

MISCELLANEOUS

Carriage Houses shall not be taller or have a larger footprint than the Principal Building on the Lot.

14.4.4-E - ALLOWED FRONTAGE TYPES

Carriage houses are not required to incorporate a Frontage Type.

14.4.4-F - PEDESTRIAN ACCESS

Main Entrance Location	Side street, Alley or internal to the Lot.
------------------------	--

The main entrance shall be separated from the garage door(s).

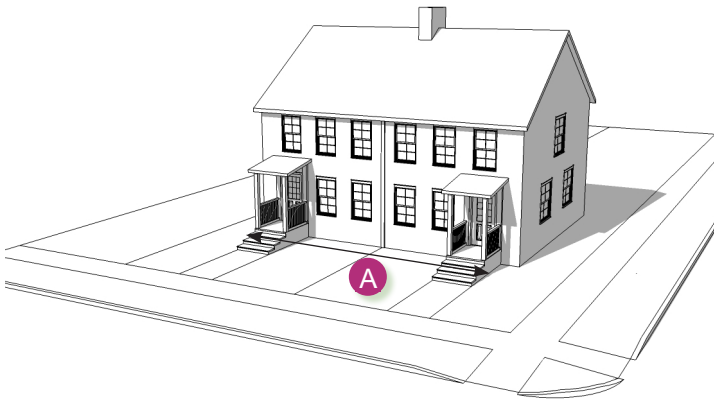
14.4.4-G. VEHICLE ACCESS AND PARKING

Parking may be Accessed from an Alley, side street or front street.



The diagram and photographs above are for illustrative purposes only.
Metrics shown thereon shall have regulatory effect.

14.4.6 - DUPLEX



14.4.6-A - DESCRIPTION

Duplex: A small to medium sized detached Building that consists of two units attached to one another side-by-side by a party wall or stacked vertically. This Building Type may sit on a single lot, or share a party-wall and span across two lots each with a single unit and an separate entry facing the street.

ALLOWED IN

FD5

14.4.6-B - LOT WIDTH

Width (if each unit on individual lot)	40' max.
Width (if both units share single lot)	80' max.

14.4.6-C - NUMBER OF UNITS

Units per Building	2 max.
--------------------	--------

14.4.6-D - BUILDING SIZE AND MASSING

HEIGHT

2 stories max.

BUILDING FOOTPRINT

Width	48' max.
-------	----------

A

14.4.6-E - ALLOWED FRONTAGE TYPES

Porch: Projecting	Section 14.5.4
Porch: Engaged	Section 14.5.5
Porch: Integral	Section 14.5.6
Stoop	Section 14.5.7
Doorway	Section 14.5.10

14.4.6-F - PEDESTRIAN ACCESS

Main Entrance Location	Principal Frontage ¹
------------------------	---------------------------------

At least one unit shall have an individual entry on the Principal Frontage.

¹On corner Lots, one of the unit entry may front on the secondary frontage.



The diagram and photographs above are for illustrative purposes only. Metrics shown thereon shall have regulatory effect.

14.4.7 - ROWHOUSE



14.4.7-A - DESCRIPTION

Rowhouse: A collection of very narrow to medium sized attached Buildings each containing a single unit and connected to one another side-by-side by a party wall. Each Building has an individual entry facing the street, and groupings often share uniform plans, fenestration and architectural treatments. This Building Type may sit on a single lot, or span across multiple lots each with an individual Building.

ALLOWED IN

FD5
FD6

14.4.7-B - NUMBER OF UNITS

Units per Rowhouse	1 max.
Rowhouses per run	3 min. - 12 max.

14.4.7-C - BUILDING SIZE AND MASSING

HEIGHT

3 stories max.

BUILDING FOOTPRINT

Width per rowhouse	<div>A</div> 12' min. - 36' max.
--------------------	----------------------------------

14.4.7-D - ALLOWED FRONTAGE TYPES

Porch: Projecting	Section 14.5.4
Porch: Engaged	Section 14.5.5
Porch: Integral	Section 14.5.6
Stoop	Section 14.5.7
Dooryard	Section 14.5.9
Doorway	Section 14.5.10
Lightwell & Landing	Section 14.5.11

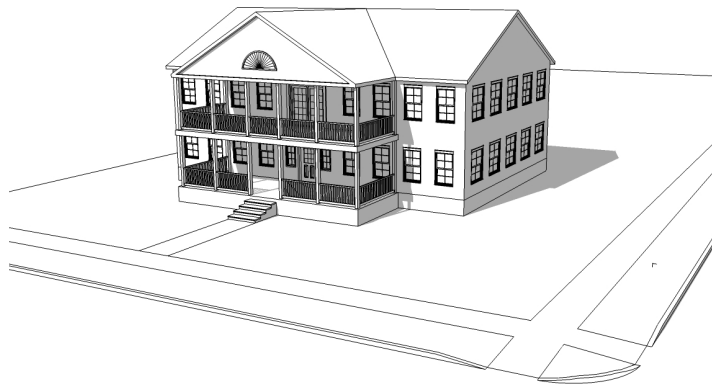
14.4.7-E - PEDESTRIAN ACCESS

Main Entrance Location	Principal Frontage
------------------------	--------------------



The diagram and photographs above are for illustrative purposes only.
Metrics shown thereon shall have regulatory effect.

14.4.8 - MULTI-FAMILY-SMALL



14.4.8-A - DESCRIPTION

Multi-Family, Small: A medium sized detached Building that consists of side-by-side and/or stacked units, with individual or shared entries with at least one of which faces the street. This Building Type may often have the appearance of a large single-family home.

ALLOWED IN

FD5
FD6

14.4.8-B - NUMBER OF UNITS

Units per building 3 min. - 6 max.

14.4.8-C - BUILDING SIZE AND MASSING

HEIGHT

2 Stories min.

BUILDING FOOTPRINT

Width 36' min. - 48' max.

*The diagram and photographs above are for illustrative purposes only.
Metrics shown thereon shall have regulatory effect.*

14.4.8-D - ALLOWED FRONTAGE TYPES

Porch: Projecting	Section 14.5.4
Porch: Engaged	Section 14.5.5
Porch: Integral	Section 14.5.6
Stoop	Section 14.5.7
Courtyard	Section 14.5.8
Dooryard	Section 14.5.9
Doorway	Section 14.5.10
Lightwell & Landing ¹	Section 14.5.11
Terrace	Section 14.5.14

¹ Only allowed in situations where the slope prevents at-grade entry to the Building.

14.4.8-E - PEDESTRIAN ACCESS

Main Entrance Location	Principal Frontage
------------------------	--------------------



14.4.9 - MULTI-FAMILY-LARGE



14.4.9-D - ALLOWED FRONTAGE TYPES

Porch: Projecting	Section 14.5.4
Porch: Engaged	Section 14.5.5
Porch: Integral	Section 14.5.6
Stoop	Section 14.5.7
Courtyard	Section 14.5.8
Dooryard	Section 14.5.9
Doorway	Section 14.5.10
Lightwell & Landing ¹	Section 14.5.11
Terrace	Section 14.5.14

¹ Only allowed in situations where the slope prevents at-grade entry to the Building.

14.4.9-E - PEDESTRIAN ACCESS

Main Entrance Location	Principal Frontage
------------------------	--------------------



The diagram and photographs above are for illustrative purposes only. Metrics shown thereon shall have regulatory effect.

14.4.9-A - DESCRIPTION ALLOWED IN

Multi-Family, Large: A medium to large sized detached or attached Building consisting of side-by-side and/or stacked units, with one or more shared entries with at least one of which faces the street.	FD5 FD6
--	------------

14.4.9-B - NUMBER OF UNITS

Units per building	7 units min.
--------------------	--------------

14.4.9-C - BUILDING SIZE AND MASSING

HEIGHT AND BUILDING FOOTPRINT WIDTH

Ground Floor	14' min. floor to floor
--------------	-------------------------

Overall Building height and other massing requirements per Form District standards in [Section 14.3](#) (Specific To Form Districts).



14.4.10 - MIXED-USE



14.4.10-A - DESCRIPTION

Mixed-Use: A medium to large sized attached or detached Building that provides a vertical and/or horizontal mix of uses. Units are commonly organized with pedestrian-oriented retail, hospitality or service uses on the ground floor with individual entries facing the street, and residential or office uses on upper floors served by one or more shared entries.

ALLOWED IN

FD5
FD6

14.4.10-B - NUMBER OF UNITS

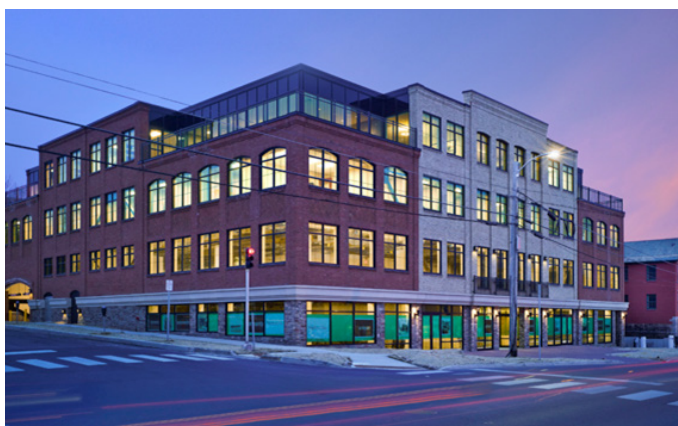
Not applicable

14.4.10-C - BUILDING SIZE AND MASSING

HEIGHT & BUILDING FOOTPRINT WIDTH

Ground Floor 14' min. floor to floor

Overall Building height and other massing requirements per Form District standards in [Section 14.3](#) (Specific To Form Districts).



14.4.10-D - ALLOWED FRONTAGE TYPES

Stoop	Section 14.5.7
Courtyard	Section 14.5.8
Dooryard	Section 14.5.9
Doorway	Section 14.5.10
Lightwell & Landing	Section 14.5.11
Officefront	Section 14.5.12
Shopfront	Section 14.5.13
Terrace	Section 14.5.14
Forecourt	Section 14.5.15
Gallery	Section 14.5.16
Arcade	Section 14.5.17

14.4.10-E - PEDESTRIAN ACCESS

Ground Floor Units	Principal Frontage
Upper Floors Units	Principal or Secondary Frontage
Upper floors units shall be Accessed by a common entry.	



The diagram and photographs above are for illustrative purposes only. Metrics shown thereon shall have regulatory effect.

14.4.11 - PERIMETER BUILDING



14.4.11-A - DESCRIPTION

Perimeter Building: A shallow medium to large sized attached or detached Building that is always associated with and screens a Parking Structure or Garage placed directly behind. This Building Type may provide a vertical and/or horizontal mix of uses commonly organized with pedestrian-oriented retail, hospitality or service uses on the ground floor with individual entries facing the street, and residential or office uses on upper floors served by one or more shared entries.

ALLOWED IN

FD5
FD6

14.4.11-B - NUMBER OF UNITS

Not applicable

14.4.11-C - BUILDING SIZE AND MASSING

HEIGHT

Ground Floor 14' min floor to floor

Overall Building height and other massing requirements per Form District standards in [Section 14.3](#) (Specific To Form Districts).

The height of the Perimeter Building must equal or exceed the height of the Parking Structure or Garage behind; however the floors are not required to align.

BUILDING FOOTPRINT

Width Minimum - Full width of the Parking Structure behind

Depth 20' min.

14.4.11-D - ALLOWED FRONTAGE TYPES

Stoop	Section 14.5.7
Dooryard	Section 14.5.9
Lightwell & Landing	Section 14.5.11
Officefront	Section 14.5.12
Shopfront	Section 14.5.13
Terrace	Section 14.5.14
Forecourt	Section 14.5.15
Gallery	Section 14.5.16
Arcade	Section 14.5.17

14.4.11-E - PEDESTRIAN ACCESS

Ground Floor Units	Principal Frontage
Upper Floors Units	Principal or Secondary Frontage

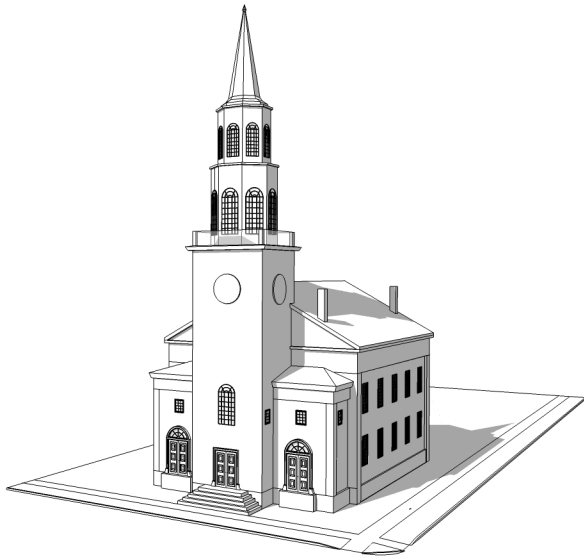
Ground floor units may have individual entries along the front street or side street.

Secondary Access for units may be directly from the Parking Structure.



The diagram and photographs above are for illustrative purposes only. Metrics shown thereon shall have regulatory effect.

14.4.12 - Civic



14.4.12-A - DESCRIPTION

Civic: A medium to large sized attached or detached Building dedicated to a Civic Use and designed to stand apart from its surroundings due to the specialized nature of its public or quasi-public use for public assembly and activity. Examples include libraries, places of worship, courthouses, schools, centers of government, performing arts, and museums. They are often the most prominently sited and architecturally significant Buildings in the community.

ALLOWED IN

FD5
FD6

14.4.12-B - NUMBER OF UNITS

Not applicable

14.4.12-C - BUILDING LOCATION, SIZE AND MASSING

Overall Building height and other massing requirements per Form District standards in [Section 14.3](#) (Specific To Form Districts).

Form District standards with regard to Lot Occupation and Building Placement (Specific To Form Districts) shall not apply to Civic Buildings.

14.4.12-D - ALLOWED FRONTAGE TYPES

Frontage Types standards in [Section 14.5](#) (Specific to Frontage Types) shall not apply to Civic Buildings.

14.4.12-E - PEDESTRIAN ACCESS

Ground Floor	Principal Frontage
Upper Floors	Principal or Secondary Frontage

14.4.12-F MISCELLANEOUS

The design and form of Civic Buildings shall be approved pursuant to the process established in [Sec 14.3.6.d](#)).

Civic Buildings may be developed as part of or independent from Civic Spaces established pursuant to [Sec. 14.3.6](#).



*The diagram and photographs above are for illustrative purposes only.
Metrics shown thereon shall have regulatory effect.*

14.4.13 – URBAN DESIGN STANDARDS

While traditional architectural styles and forms are welcome, a diversity of traditional, neo-traditional and modern architectural styles and forms are highly encouraged in order to both reflect and advance the evolution and diversity of Burlington's built environment. Regardless of the architectural style used, there remain a number of fundamental urban design standards that must be addressed in order to ensure the creation of a dynamic, engaging and pedestrian-oriented streetscape.

The following urban design standards shall be applicable to all new construction and substantial rehabilitation of all Buildings in the Downtown and Waterfront District:

a) **Voids:** Requirements regarding the proportion and spacing of voids, and the transparency of glazing on a Building Facade for the purposes of activating the public street shall be as required in [Table 14.4.15-A Street Activation – Primary and Secondary Frontages](#) below.

14.4.13-A- STREET ACTIVATION – PRIMARY AND SECONDARY FACADE

	<u>Building Types:</u> <i>Duplex, Rowhouse, and Multi-Family: Small</i>		<u>Building Types:</u> <i>Mixed-Use, Multi-Family: Large, Perimeter, and Civic</i>	
	Ground Floor	Upper Floors	Ground Floor	Upper Floors
<u>Facade Voids:</u> (Rough openings of all windows and doors per floor)	15% min	10% min	50% min ¹	20% min
Distance between voids measured both horizontally and vertically	35' max.		20' max.	
<u>Transparency of Glazing:</u> applicable to 80% of the glazing per floor.	na	na	60% VLT min 15% VLR max	na

(VLT – Visible Light Transmittance, VLR – Visible Light Reflectance)

¹ Additional requirements shall be as required based on the Officefront or Shopfront Frontage Types.

b) **Windows & Doors:**

i. Principal Buildings shall have one or more Principal Entrances that are clearly identified as such along the Primary Frontage, or at a corner on a corner lot where a chamfered corner may be used. Additional entrances may also be provided along a secondary Frontage. To be counted in the entrance spacing requirements of a Form District, doors must be open and operable by residential occupants at all times and non-residential occupants and customers during business hours.

ii. Principal Buildings fronting a Civic Space shall also have a minimum of one primary pedestrian entrance directly onto the Civic Space.

iii. Building entrances shall be defined and articulated by architectural elements such as lintels, pediments, pilasters, columns, canopies, awnings, transoms, sidelights or other design elements appropriate to the architectural style and details of the Building as a whole.

iv. Where provided:

- A. Muntins shall be either true divided lites, or simulated divided lites fixed on both the exterior and interior surfaces with spacer bars to cast a shadow.
- B. Storm Windows and Screens shall be integral with the window.
- C. Bay windows shall be a maximum of 4' deep.
- D. Shutters shall be provided to either all or none of the window openings on any given Elevation, and shall be sized, shaped and proportioned to match the associated openings.
- E. Shading devices designed and intended to control light entering the Building may project no more than 5-feet from the facade, shall be consistent in materials, color and design across the same facade, and shall be placed, sized, shaped and proportioned to match the associated openings.

b) Facade Articulation and Upperstory Stepbacks:

i. A majority of the Facade of a Building shall be built parallel to a rectilinear Principal Frontage Line or to the tangent of a curved Principal Frontage Line.

C. Buildings with facades greater than one hundred and fifty (150) feet in width must include a more substantial change in the horizontal plane where for every one hundred and fifty (150) feet in facade width, one (1) or more architectural bay as required above must either recess or project from the average plane of the facade by at least four (4) feet involving the full height of the façade and no closer than fifty (50) feet from the Buildings corner.

ii. Building facades shall be vertically articulated as follows:

(GRAPHIC NEEDED)

A. All Building facades must provide surface relief through the use of elements such as bay windows, cladding, columns, corner boards, cornices, door surrounds, moldings, piers, pilasters, sills, belt courses, sign bands, windows, balconies and/or other equivalent architectural features at least three of which must either recess or project from the average plane of the facade by at least four (4) inches;

B. Buildings with facades between seventy-five (75) feet and one hundred and fifty (150) feet in width must include changes across the horizontal plane by dividing the facade into a series of architectural bays between six (6) feet and fifty (50) feet in width involving a minimum of 50% of the total height of the façade; and,

ii.. Building facades shall be horizontally articulated as follows:

(GRAPHIC NEEDED)

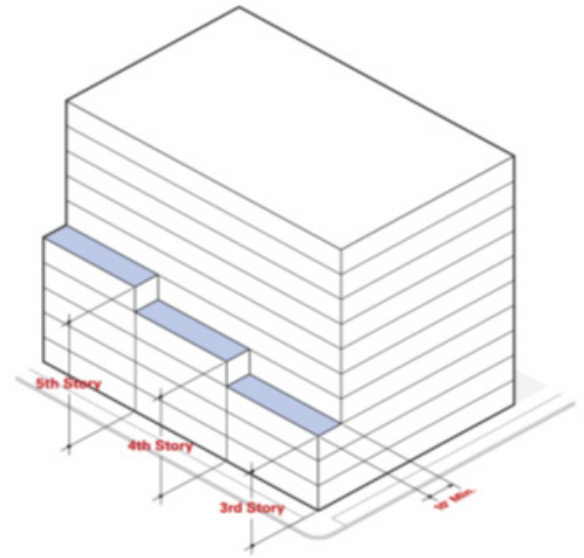
A. Buildings or portions of Buildings (distinct massing elements) four (4) stories or less:

1) The raised foundation, basement, or first story must be must be visually differentiated from the stories above by a horizontal expression line and change in color, material, and/or pattern of fenestration; and,

2) The top story must have a cornice, parapet, pitched or shaped roof form, change in color or material, and/or other equivalent architectural feature involving a projection from the average plane of the facade by at least four (4) inches to serve as an expression of the Buildings top.

B. Buildings or portions of Buildings (distinct massing elements) five (5) stories or more:

- 1) The raised foundation or basement must be visually differentiated from the stories above by a horizontal expression line and change in color, material, and/or pattern of fenestration;
- 2) The bottom one to three stories must be visually differentiated from the stories above by a horizontal expression line, belt courses, banding, sign band, cornice and/or equivalent architectural feature, and include a change in color, material, and/or pattern of fenestration across a majority of the facade; and,
- 3) The top story must have a cornice, parapet, pitched or shaped roof form and/or other equivalent architectural feature involving a projection from the average plane of the facade by at least six (6) inches to serve as an expression of the Buildings top.



iii. The upper stories of any Building exceeding six (6) stories in height shall be step-back as follows: **(GRAPHIC NEEDED)**

- A. Upper stories must step-back at least ten (10) feet from the primary plane of the façade below while the base of the Building frames and defines the public realm preferably maintaining a consistent height of at least 50' along Main and Battery, and at least 33' on all other downtown streets.
- B. The required step-back shall occur within the first 60' at either the 3rd, 4th, or 5th story. Additional step-backs may occur above the required step-back in order to provide additional terraces, taper and visual interest to taller Buildings.
- C. Step-backs must be visually set off from the stories below by a balustrade, parapet, cornice and/or similar architectural feature, and are encouraged to be activated as an outdoor amenity space for Building occupants.
- D. The upper stories beyond the step-back may be visually differentiated from the stories below by a change in color, materials and/or pattern of fenestration in order to reduce the actual or perceived massing of the Building.

c) **Building Materials:** The following requirements regarding the selection and use of Building materials is intended to improve the physical quality and durability of buildings, enhance the pedestrian experience, and protect the character of the downtown area.

i. **Primary Materials:** Not less than 80 percent of each street-facing Façade shall be constructed of a primary materials comprised of high quality, durable, and natural materials. For Façades over 100 square feet, more than one primary material shall be used. Changes between primary materials must occur only at inside corners. The following are considered acceptable primary materials:

- A. Brick and tile masonry;
- B. Native stone;
- C. Wood – panels, clapboard or shingles;
- D. Glass curtain wall; and,
- E. Cementitious siding;

ii. **Accent Materials:** The following accent materials may make up no more than 20% of the surface area on each Façade. Accent materials are limited to:

- A. Pre-cast masonry (for trim and cornice elements only);
- B. External Insulation Finishing System - EIFS (for upper story trim and cornice elements only);
- C. Gypsum Reinforced Fiber Concrete (GFRC—for trim elements only);
- D. Metal (for beams, lintels, trim elements and ornamentation, and exterior architectural metal panels and cladding only);
- E. Split-faced block (for piers, foundation walls and chimneys only); and,
- F Glass block.

iii. Doors and Windows: Commercial grade doors, windows, and hardware shall be used on all Building Types with the exception of the Carriage House, Duplex, Rowhouse and Multi-family - Small Building Types used for residential purposes.

iv. Fences: Fence materials shall not include barbed or razor wire. Chain link and wire fencing shall not be used along any Frontage Line, however, woven cable fencing is permitted.

v. Roof Materials. Acceptable roof materials include 300 pound or better, dimensional asphalt composite shingles, wood shingles and shakes, metal tiles or standing seam, slate, and ceramic tile.

vi. Alternate Materials: Alternate materials, including high quality synthetic materials, may be approved by the Planning Director after seeking input from the Design Advisory Board. New materials must be considered equivalent or better than the materials listed above and must demonstrate successful, high quality local installations. Regionally-available materials are preferred.

vii. Other:

A. The use of recycled and/or regionally-sourced materials is strongly encouraged.

B. With the exception of natural wood siding or shingles such as cedar or redwood intended to gradually weather with time, all exposed wood and wood-like products (e.g. fiber-cement) shall be painted or stained. Exterior trim shall be indistinguishable from wood when painted.

C. Any synthetic siding and finish products shall be smooth-faced with no artificial grain texturing.

d). Walls:

i. Unfinished foundation walls for a Primary Building shall be exposed no more than a maximum of 48" above the finished grade. Surface-applied waterproofing on any foundation wall shall not be visible.

ii. The following items are not permitted to project from a Facade: air conditioner and HVAC equipment; utility or gas meters; chimneys, vents, piping, ducts, and conduits external to the building; wind generation and solar collection devices; and antennas, satellite dishes and other telecommunications equipment. When placed on a side elevation, these items shall be concealed from view from the Frontage by landscaping, grills, screens or other enclosures in a manner consistent with the overall architectural design of the Building.

iii. Small exterior vents (less than 10-in x 10-in) associated with small scale heating/cooling equipment or residential appliances shall be permitted on the Facade of Buildings where residential occupancy occurs along the Facade - these are not permitted for other occupancies. Every effort should be made to minimize and consolidate the number of these vents. They shall be located, organized, screened and detailed to harmonize and compliment the overall design of the Facade.

iv. Buildings are encouraged to incorporate green walls wherever possible.

d) Roofs:

i. Buildings are encouraged to incorporate Blue and/or Green roof technologies. solar collection devices, and access for use by owners, tenants or the public wherever possible.

ii. Any new roof, or complete resurfacing of an existing roof, is encouraged to use materials and methods intended to reduce the urban heat island effect.

iii. All pitched roofs shall be designed and configured to prevent the avalanching of snow and ice onto any street, path, walkway, Building entrances and emergency exits, driveways, parking areas, or adjacent property.

iv. Unless incorporated into and hidden within the roof structure or a mechanical penthouse, all rooftop mechanical equipment, including air conditioning, piping, ducts, and conduits external to the building, shall be fully screened on all sides to their full height, and positioned to minimize their view from the street level. Screening shall be incorporated in a manner consistent with the overall architectural design of the Building, and may consist of parapets, screens, latticework, louvered panels, or other similar methods.

vi. Any mechanical penthouse shall be setback a minimum of 10-feet from the roof edge. Such enclosures shall be incorporated in a manner consistent with the overall architectural design of the Building and serve as an expression of the Buildings top.

vii. Solar collection devices, wind turbines and wireless telecommunication equipment shall be positioned to minimize their view from the street level. To the maximum extent practical, screening shall be incorporated in a manner consistent with the overall architectural design of the Building. Solar collection devices may be placed on or incorporated into a pitched roof provided they are at no point more than 10-feet above the roof surface.

viii. Roof penetrations, other than chimneys, shall be placed so as not to be visible from streets or paths, and shall match the color of the roof or the sky except those made of metal which may be left natural.

ix. All Buildings, and Structures where appropriate, shall have gutters, downspouts or rain chains, splash blocks or downspouts connected to rain barrels, above or underground drainage systems, and/or other such devices and systems designed for the on-site collection and management of stormwater coming off of the Building or Structures. Downspouts shall be arranged as an integral part of the facade composition, and shall generally be placed at the corners of the Building.

e) Balconies and Decks:

i. Balconies must be at least 4' deep and shall be cantilevered, or visibly supported by brackets or beams sized, shaped and proportioned to match the associated balcony. Columns or posts extending to the ground are prohibited on a Facade, except in the case of a Gallery Frontage Type.

ii. Decks shall be permitted only in the third lot layer or on rooftops.

f) Awning and Canopies: Awning and canopies are encouraged as a traditional street-level store-front fitting to provide shelter over a primary entrance, display windows or outdoor seating. Where provided, such awnings and canopies placed on a Façade shall meet the following specifications: (GRAPHIC NEEDED)

i. Awnings and canopies shall provide 8' minimum clear height above the finished grade, and shall project a minimum of 6' from the Façade to a maximum of 2' from the curb. 14' minimum clear height above the finished grade shall be provided above any area used for parking or circulation.

ii. Awnings and canopies shall be placed, sized, shaped and proportioned to match the associated openings.

iii. Awnings and canopies that span across an entire Façade shall be fixed no higher than the top of the top of the first story.

iv. All awnings and canopies used within an individual Frontage Type shall be consistent in materials, color and design.

v. Awnings and canopies shall not be internally illuminated or backlit, however they may contain lighting fixtures intended to illuminate the ground beneath.

vi. Awnings shall have a metal Structure covered with non-translucent canvas, synthetic canvas or painted metal, and shall have no soffit or sides. Retractable Awnings are encouraged.

vii. Awnings shall be rectangular in elevation and triangular in cross-section with straight edges. The valance of the awning shall be no more than 12" in height.

viii. Canopies shall be constructed of wood and/or metal. The face of the canopy shall be no more than 24" in height.

ix. Canopies shall be cantilevered or supported from above. Columns or posts extending to the ground are prohibited.

g). Other:

i. Upper-story fire escapes shall be located in the Third Lot Layer. They may be located in the Second Lot Layer provided they are enclosed and incorporated and designed in a manner consistent with the overall architectural design of the Building.

ii. Permanent handicapped access ramps shall be located in the Second or Third Lot Layer. They may be located in the First Lot Layer provided they are integrated into the design of the chosen Frontage Type.

iii. All utility service connections shall be underground for new construction and substantial rehabilitations.

iv. The footprint area of an Outbuilding may not exceed the footprint area of the Principal Building.

SECTION 14.5: SPECIFIC TO PRIVATE FRONTAGE TYPES

SUBSECTIONS:

14.5.1	Purpose	14.5.10	Doorway
14.5.2	Applicability	14.5.11	Lightwell & Landing
14.5.3	Frontage Types Summary Table	14.5.12	Officefront
14.5.4	Porch: Projecting	14.5.13	Shopfront
14.5.5	Porch: Engaged	14.5.14	Terrace
14.5.6	Porch: Integral	14.5.15	Forecourt
14.5.7	Stoop	14.5.16	Gallery
14.5.8	Courtyard	14.5.17	Arcade
14.5.9	Dooryard		

14.5.1- PURPOSE

This Section sets forth the standards applicable to Private Frontages. Private Frontages are the components of a Building that provide an important transition and interface between the public realm (Thoroughfares and Sidewalks, lakeshore and Civic Spaces) and the private realm (yard or building). For each Frontage Type, a description, a statement of the type’s intent and design standards are provided. These standards are intended to ensure development that reinforces the highly-valued existing character and scale of Burlington’s neighborhoods and downtown by providing an active and intentional relationship between the public and the private realm.

14.5.2- APPLICABILITY

These standards shall be applied to all Private Frontages within all Form Districts along Thoroughfares, lakeshore and Civic Spaces. Individual Buildings may divide the Facade into a series of architectural bays each containing an individual Private Frontage Type. The standards and requirements applicable to a Frontage Type shall modify and take precedence without limitation over any duplicative or conflicting provisions of [Section 14.3](#) (Specific to Form Districts), [Section 14.4](#) (Specific to Building Types) and [Section 14.6](#) (Supplemental to Form Districts).

14.5.3 - FRONTAGE TYPES GENERAL

Table 14.5-A (Frontage Types Summary Table) provides an overview of all allowed Frontages Types.

TABLE 14.5-A - PRIVATE FRONTAGE TYPES SUMMARY TABLE [NOT-REGULATORY]

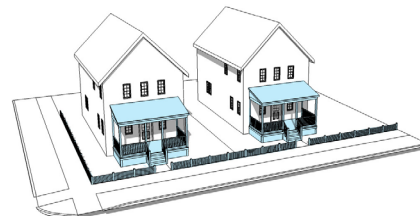
The Private Frontage is the area between the Building Façade and the ROW/Lot Line.

FRONTAGE TYPE

ILLUSTRATION TYPE

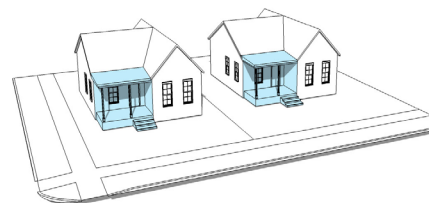
14.5.4 - PORCH: PROJECTING

A Private Frontage where the Building Façade is set back from the Frontage Line, and an attached porch containing an elevated Principal entrance facing the street. The porch is permitted to Encroach into the First Lot Layer which may be planted and include a fence to maintain spatial definition with the public right-of-way. This type is commonly associated with ground-floor Residential use.



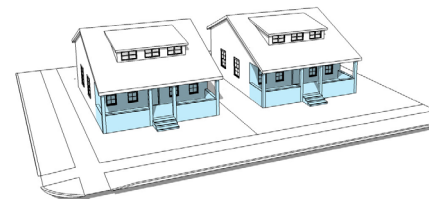
14.5.5 - PORCH: ENGAGED

A Private Frontage where the Building Façade is set back from the Frontage Line, and includes a porch containing an elevated Principal entrance with two adjacent sides that are engaged to the building while two sides are open. The First Lot Layer is planted, and may include a fence to maintain spatial definition with the public right-of-way. This type is commonly associated with ground-floor Residential use.



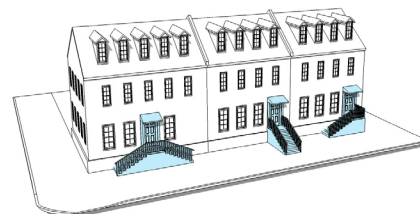
14.5.6 - PORCH: INTEGRAL

A Private Frontage where the Building Façade may or may not be set back from the Frontage Line, and includes a porch containing an elevated Principal entrance facing the street with two adjacent sides that are engaged to the building while two sides are open. The First Lot Layer is planted, and may include a fence to maintain spatial definition with the public right-of-way. This type is commonly associated with ground-floor Residential use.



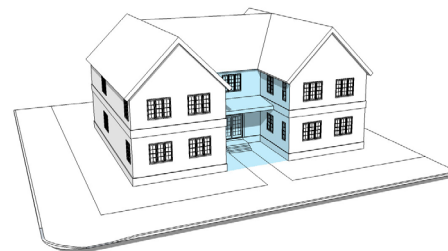
14.5.7 - STOOP

A Private Frontage where the Building Façade is aligned close to the Frontage Line, and the first Story is elevated from the Sidewalk sufficiently to secure privacy for the windows from a busy public Sidewalk. The elevated Principal entrance is accessed by an exterior stair and small landing that is permitted to Encroach into the First Lot Layer. The First Lot Layer may be planted, or paved to join with the adjoining public Sidewalk. This type is commonly associated with ground-floor Residential use.



14.5.8 - COURTYARD

A Private Frontage where a portion of the Façade is aligned close to or at the Frontage Line, and the central portion of the Façade is set back to create a courtyard with a Principal entrance at-grade and space for gathering and circulation, or for outdoor shopping or restaurant seating. The First Lot Layer and courtyard may be planted or paved to join with the adjoining public Sidewalk. This type should be used sparingly, and may be allocated in conjunction with other Frontage types to define individual or shared entries at least one of which faces the street.



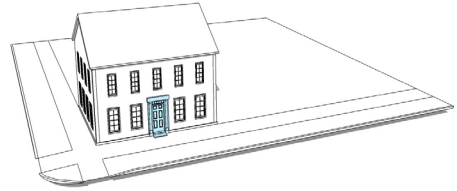
14.5.9 - DOORYARD:

A Private Frontage where the Building Façade is aligned close to the Frontage Line, and the Frontage Line is defined by a low wall, decorative fence or hedge providing a strong spatial definition from the public Sidewalk. The result is a small semi-private dooryard containing the Principal entrance in First Lot Layer. The dooryard may be slightly raised, sunken, or be at-grade, and may be planted or paved. This type is commonly associated with ground-floor Residential use.



14.5.10 - DOORWAY

A Private Frontage where the Building Facade is aligned close to or at the Frontage Line, and the Principal entrance provides an at-grade entry. To the extent there is a First Lot Layer, it may be planted or paved to join with the adjoining public Sidewalk. This type is commonly associated with ground-floor Residential use.



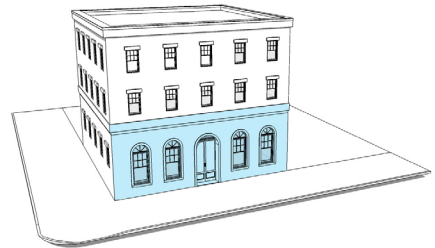
14.5.11 - LIGHTWELL & LANDING

A Private Frontage where the Building Facade is set back from the Frontage line, and a Principal entrance is elevated and accessed by an exterior stair with or without a small landing, and/or sunken and accessed via a Lightwell. The Frontage Line adjoining the Lightwell is partially defined by a low wall, decorative fence or hedge providing a strong spatial definition from the public Sidewalk and safety for pedestrians passing by. This type is particularly well-suited for accommodating grade changes along a Frontage Line, allows for activation of below grade spaces, and buffering residential, retail or service uses from busy public Sidewalks. The First Lot Layer and Lightwell may be planted or paved to join with the adjoining public Sidewalk.



14.5.12 - OFFICEFRONT

A Private Frontage where the Building Facade is set back from the Frontage Line with individual at-grade entries for ground level uses provided directly onto the public Sidewalk. This type is commonly associated with office, retail, service or hospitality uses, and has substantial glazing on the Sidewalk level although not as required by a Shopfront, and may include an Awning or Canopy that may Encroach into the First Lot Layer and over-lap the Sidewalk. To the extent there is a First Lot Layer, it may be planted or paved with or without outdoor shopping or restaurant seating to join with the adjoining public Sidewalk.



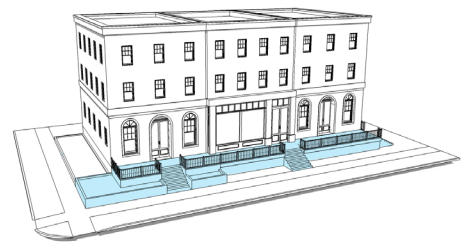
14.5.13 - SHOPFRONT

A Private Frontage where the Building Facade is aligned close to or at the Frontage Line with individual at-grade entries for ground level uses provided directly onto the public Sidewalk. This type is commonly associated with retail, service or hospitality uses, and has substantial glazing on the Sidewalk level and may include an Awning or Canopy that may Encroach into the First Lot Layer and over-lap the Sidewalk. To the extent there is a First Lot Layer, it may be planted or paved with or without outdoor shopping or restaurant seating to join with the adjoining public Sidewalk.



14.5.14 - TERRACE

A Private Frontage where the Building Facade is at or near the frontage line with an elevated terrace that may Encroach into the First Lot Layer providing level or terraced public circulation along the façade. This type can be used to provide at-grade access while accommodating a grade change along a Frontage Line. Frequent steps up to the terrace are necessary to avoid dead walls and maximize Access. This type is required to be used in conjunction with other Frontage types to define individual or shared entries facing the street.

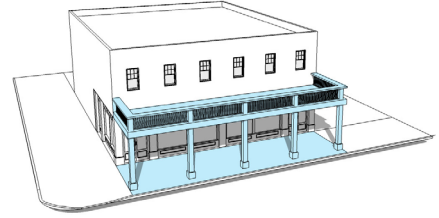


14.5.15 - FORECOURT

A Private Frontage where the Building Facade is setback from the Frontage Line with individual at-grade entries for ground level uses provided directly onto a permanent outdoor patio. The First Lot Layer may be planted and include a fence to maintain spatial definition with the public right-of-way, and shall otherwise be paved to support outdoor seating and dining and join with the adjoining public Sidewalk. Awnings or Canopies may Encroach into the First Lot Layer and over-lap the Sidewalk. This type is required to be used in conjunction with other Frontage types to define individual or shared entries facing the street.

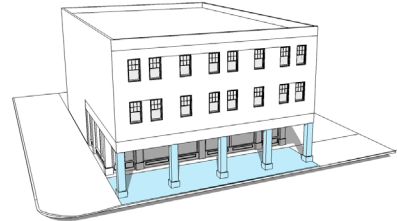
14.5.16 - GALLERY

A Private Frontage where the Building Facade is set back from the Frontage Line with an attached one or two story cantilevered shed or a lightweight colonnade that fully Encroaches into the First Lot Layer. This type is intended for Buildings with ground floor commercial, hospitality or retail uses. This type is required to be used in conjunction with other Frontage types to define individual or shared first floor entries facing the street.

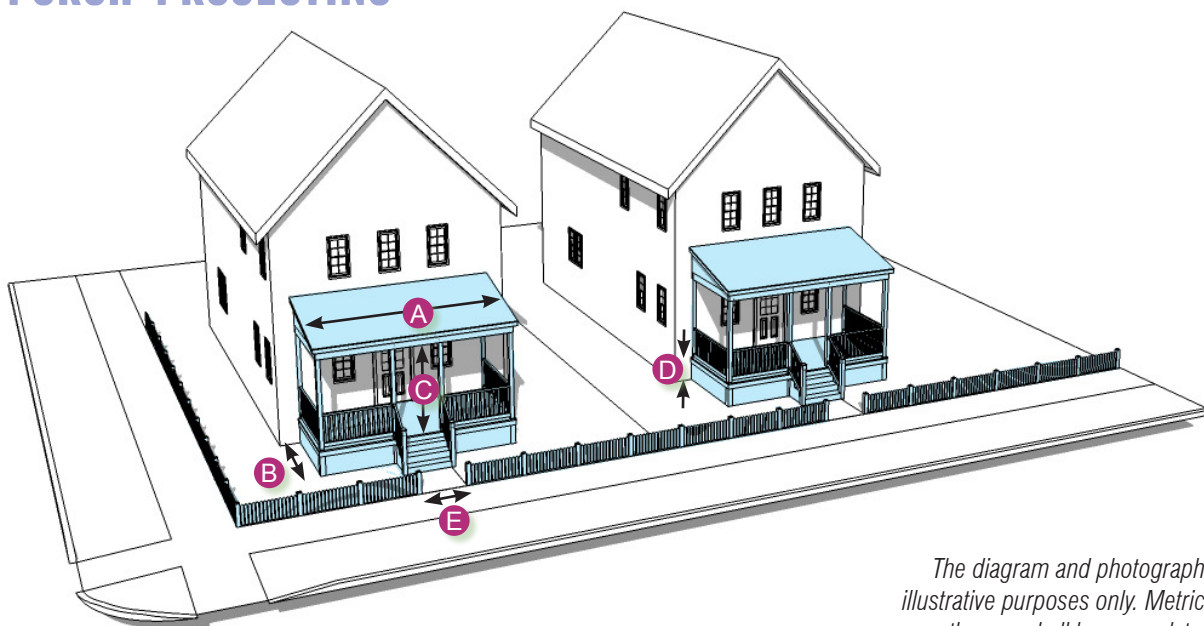


14.5.17 - ARCADE

A Private Frontage where only the ground floor level of the Building Facade is set back from the Frontage Line. The Building Facade for the upper floors is at the Frontage Line and is supported by a colonnade with habitable space above. This type is intended for Buildings with ground floor commercial, hospitality or retail uses. This type is required to be used in conjunction with other Frontage types to define individual or shared first floor entries facing the street.



14.5.4 - PORCH: PROJECTING



The diagram and photographs are for illustrative purposes only. Metrics shown thereon shall have regulatory effect.

14.5.4-A - DESCRIPTION

A Private Frontage where the Building Facade is set back from the Frontage Line, and an attached porch containing an elevated Principal entrance facing the street. The porch is permitted to Encroach into the First Lot Layer which may be planted and include a fence to maintain spatial definition with the public right-of-way. This type is commonly associated with ground-floor Residential use.

14.5.4-B - ALLOWED WITH

Duplex	Multi-Family: Small
Rowhouse	Multi-Family: Large

14.5.4-C - STANDARDS

Width	8' min.	A
Depth	6' min.	B
Height, Clear	8' min.	C
Height	Equal to number of stories	
Finish Level above Sidewalk	18" min.	D
Path of Travel	3' wide min.	E

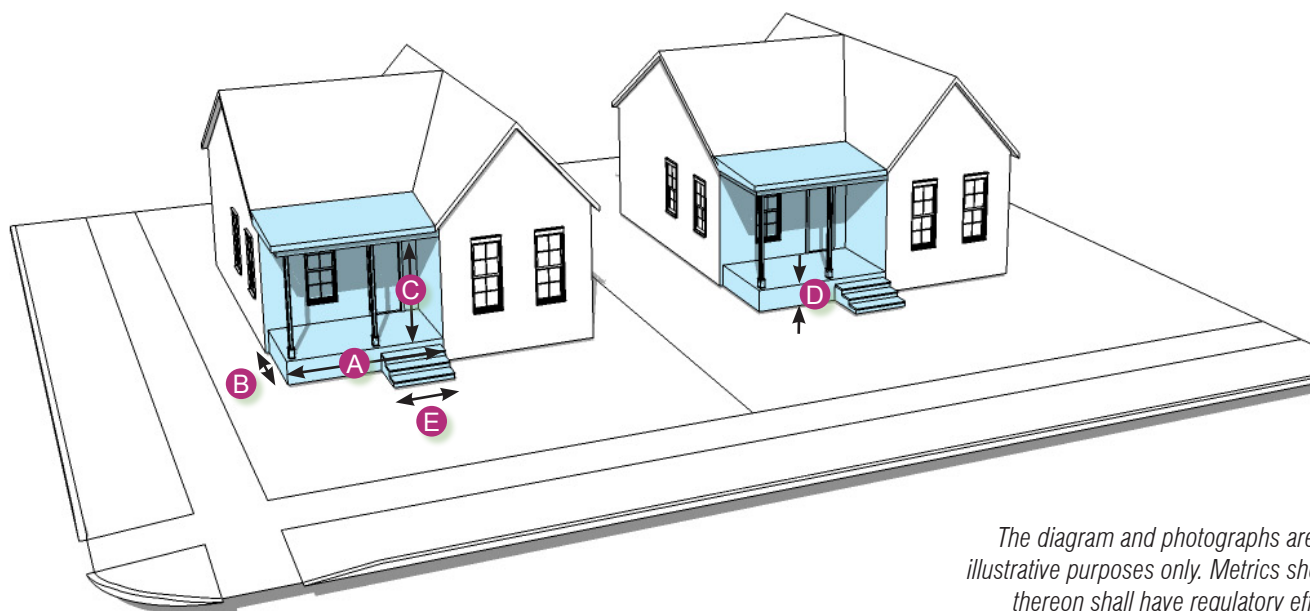
14.5.4-D - MISCELLANEOUS

Projecting porches must have three sides and have a roof and may not be enclosed.

Upper Story porches shall not be connected with porches below with an external stairway.



14.5.5 - PORCH: ENGAGED



The diagram and photographs are for illustrative purposes only. Metrics shown thereon shall have regulatory effect.

14.5.5-A - DESCRIPTION

A Private Frontage where the Building Facade may or may not be set back from the Frontage Line, and includes a porch containing an elevated Principal entrance facing the street with two adjacent sides that are engaged to the building while two sides are open. The First Lot Layer is planted, and may include a fence to maintain spatial definition with the public right-of-way. This type is commonly associated with ground-floor Residential use.

14.5.5-B - ALLOWED WITH

Duplex	Multi-Family: Small
Rowhouse	Multi-Family: Large

14.5.5-C - STANDARDS

Width	6' min	A
Depth	6' min	B
Height, Clear	8' min.	C
Height	Equal to number of stories	
Finish Level above Sidewalk	18" min.	D
Path of Travel	3' wide min.	E

14.5.5-D - MISCELLANEOUS

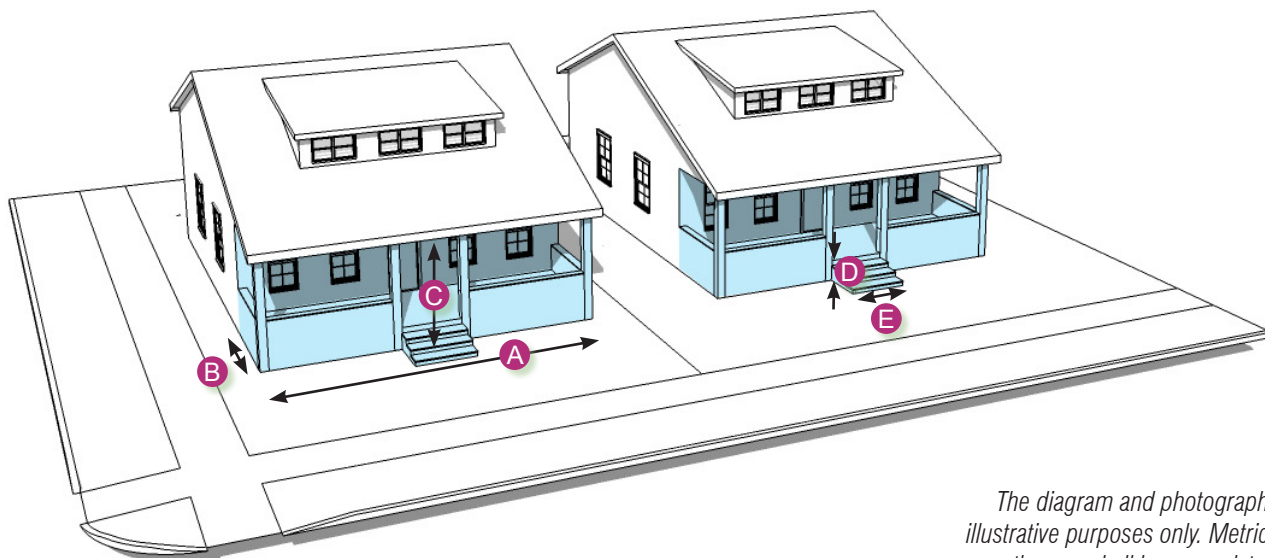
Engaged porches must have two sides and a roof, and may not be enclosed. Engaged porches extending along a side elevation may be enclosed beyond the first 6' of depth.

Engaged porches are not allowed to Encroach within the First Lot Layer.

Upper Story porches shall not be connected with porches below with an external stairway.



14.5.6 - PORCH: INTEGRAL



The diagram and photographs are for illustrative purposes only. Metrics shown thereon shall have regulatory effect.

14.5.6-A - DESCRIPTION

A Private Frontage where the Building Facade is set back from the Frontage Line, and a porch containing an elevated Principal entrance facing the street open on one, two or three sides is integral to the overall massing and roof form of the building. The First Lot Layer is planted, and may include a fence to maintain spatial definition with the public right-of-way. This type is commonly associated with ground-floor Residential use.

14.5.6-B - ALLOWED WITH

Duplex Multi-Family: Small

14.5.6-C - STANDARDS

Width	10' min	A
Depth	6' min.	B
Height, Clear	8' min.	C
Height	2 stories max.	
Finish Level above Sidewalk	18" min.	D
Path of Travel	3' wide min.	E

14.5.6-D - MISCELLANEOUS

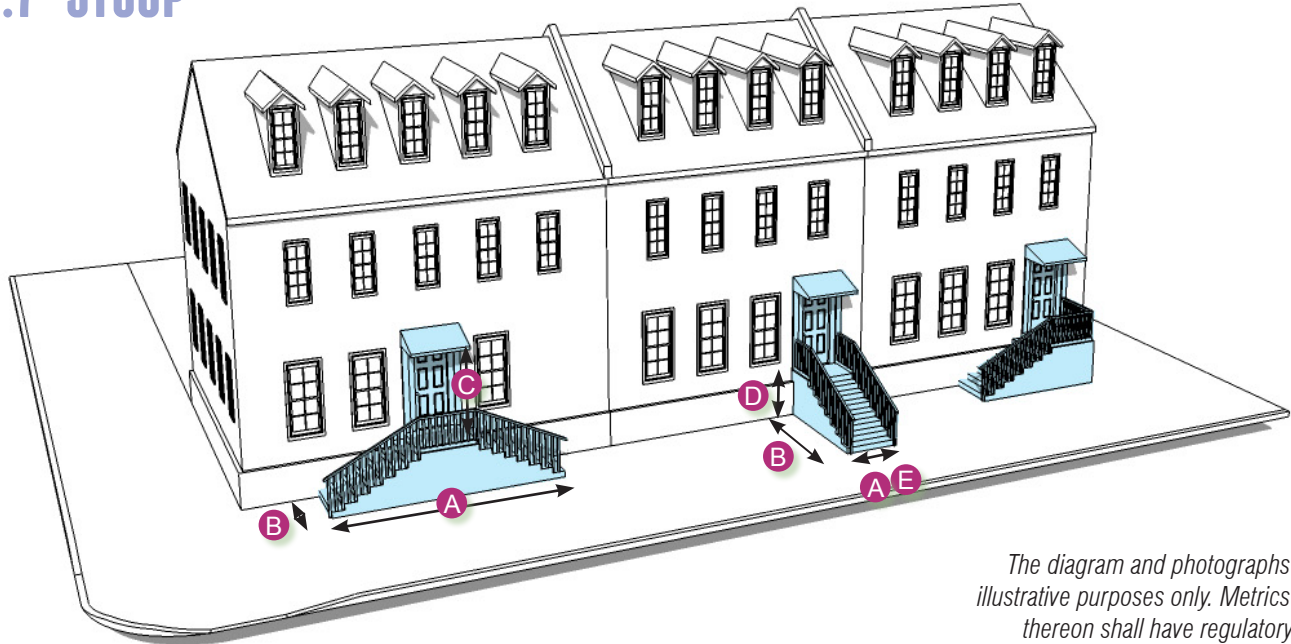
Integrated porches must be open on one, two or three sides and may not be enclosed.

Integrated porches are not allowed to Encroach within the First Lot Layer.

Upper Story porches shall not be connected with porches below with an external stairway.



14.5.7- STOOP



The diagram and photographs are for illustrative purposes only. Metrics shown thereon shall have regulatory effect.

14.5.7-A - DESCRIPTION

A Private Frontage where the Building Facade is aligned close to the Frontage Line, and the first Story is elevated from the Sidewalk sufficiently to secure privacy for the windows from a busy public Sidewalk. The elevated Principal entrance is accessed by an exterior stair and small landing that is permitted to Encroach into the First Lot Layer. The First Lot Layer may be planted, or paved to join with the adjoining public Sidewalk. This type is commonly associated with ground-floor Residential use.

14.5.7-B - ALLOWED WITH

Duplex	Multi-Family: Small
Rowhouse	Multi-Family: Large
Perimeter Building	Mixed-Use

14.5.7-C - STANDARDS

Width (landing only)	4" min.	A
Depth (landing only)	3' min - 6' max	B
Clear Height above Landing	8' min.	C
Finish Level above Sidewalk	18" min. - 4' max.	D
Path of Travel	3' wide min.	E

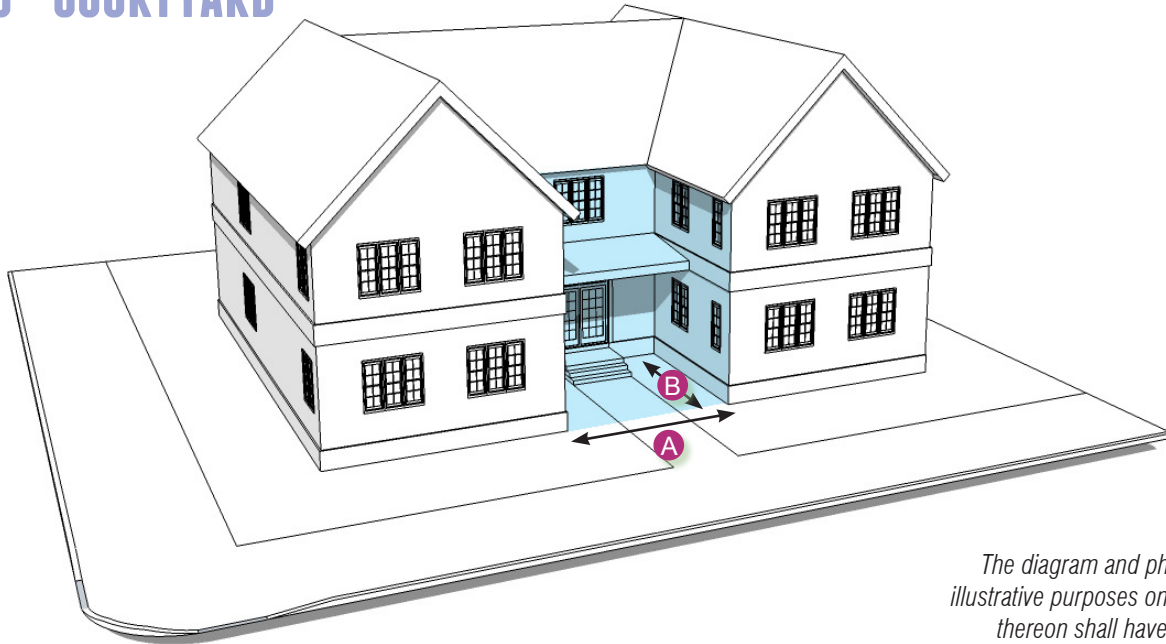
14.5.7-D - MISCELLANEOUS

Stairs may be perpendicular or parallel to the Building Façade.

The entry doors are encouraged to be covered or recessed to provide shelter from the elements.



14.5.8 - COURTYARD



The diagram and photographs are for illustrative purposes only. Metrics shown thereon shall have regulatory effect.

14.5.8-A - DESCRIPTION

A Private Frontage where a portion of the Façade is aligned close to or at the Frontage Line, and the central portion of the Façade is set back to create a courtyard with a Principal entrance at-grade and space for gathering and circulation, or for outdoor shopping or restaurant seating. The First Lot Layer and courtyard may be planted or paved to join with the adjoining public Sidewalk. This type should be used sparingly, and may be allocated in conjunction with other Frontage types to define individual or shared entries at least one of which faces the street.

14.5.8-B - ALLOWED WITH

Multi-Family: Small Mixed-Use
Multi-Family: Large

14.5.8-C - STANDARDS

Width	- 12' min. - lessor of 1/3 the Building width or 35' max	A
Depth	12' min.- 35' max	B

14.5.8-D - MISCELLANEOUS

A maximum of one Courtyard is permitted per Principal Building.

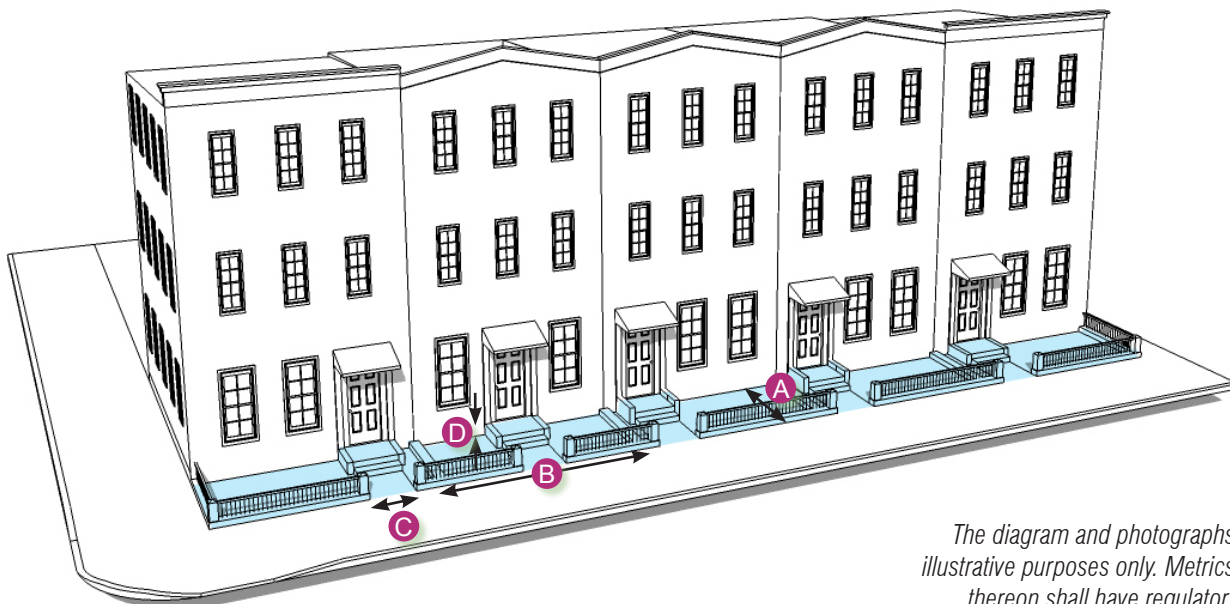
These standards may be used in conjunction with other Frontage Types such as Shopfront, Officefront, Dooryard, or Doorway Frontage Types. In case of a conflict, the Courtyard Frontage Type standards shall prevail.

The proportions and orientation of these spaces should be carefully considered for solar orientation and user comfort.

A Courtyard is considered as part of the Building for the purpose of measuring the Frontage Buildout.



14.5.9- DOORYARD



The diagram and photographs are for illustrative purposes only. Metrics shown thereon shall have regulatory effect.

14.5.9-A - DESCRIPTION

A Private Frontage where the Building Facade is aligned close to the Frontage Line, and the Frontage Line is defined by a low wall, decorative fence or hedge providing a strong spatial definition from the public Sidewalk. The result is a small semi-private dooryard containing the Principal entrance in First Lot Layer. The dooryard may be slightly raised, sunken, or be at-grade, and may be planted or paved. This type is commonly associated with ground-floor Residential use.

14.5.9-B - ALLOWED WITH

Rowhouse	Mixed-Use
Multi-Family: Small	Perimeter Building
Multi-Family: Large	

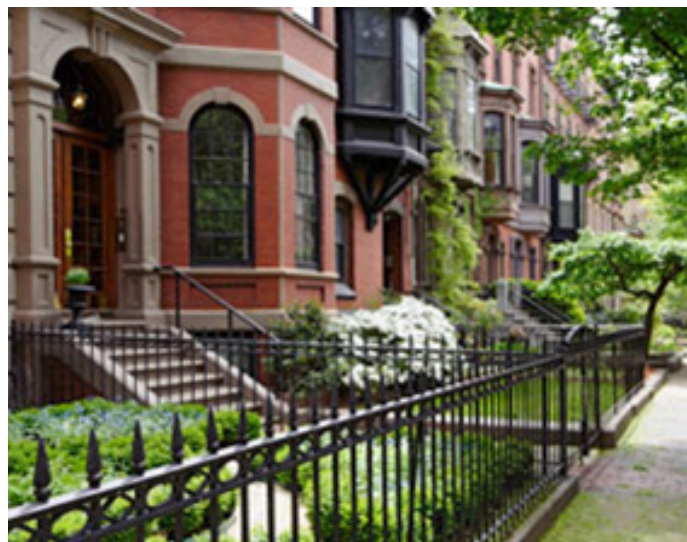
14.5.9-C - STANDARDS

Depth	4' min. 12' max.	A
Width	Equal to the width of the Facade min. 50' max.	B
Depth of recessed entries	5' max.	
Path of travel	3' wide min.	C
Finish level above Sidewalk	18" max.	D
Finish level below Sidewalk	18" max.	

14.5.9-D - MISCELLANEOUS

This Frontage Type may be used in conjunction with other Frontage Types, such as Doorway, Stoop, or Officefront.

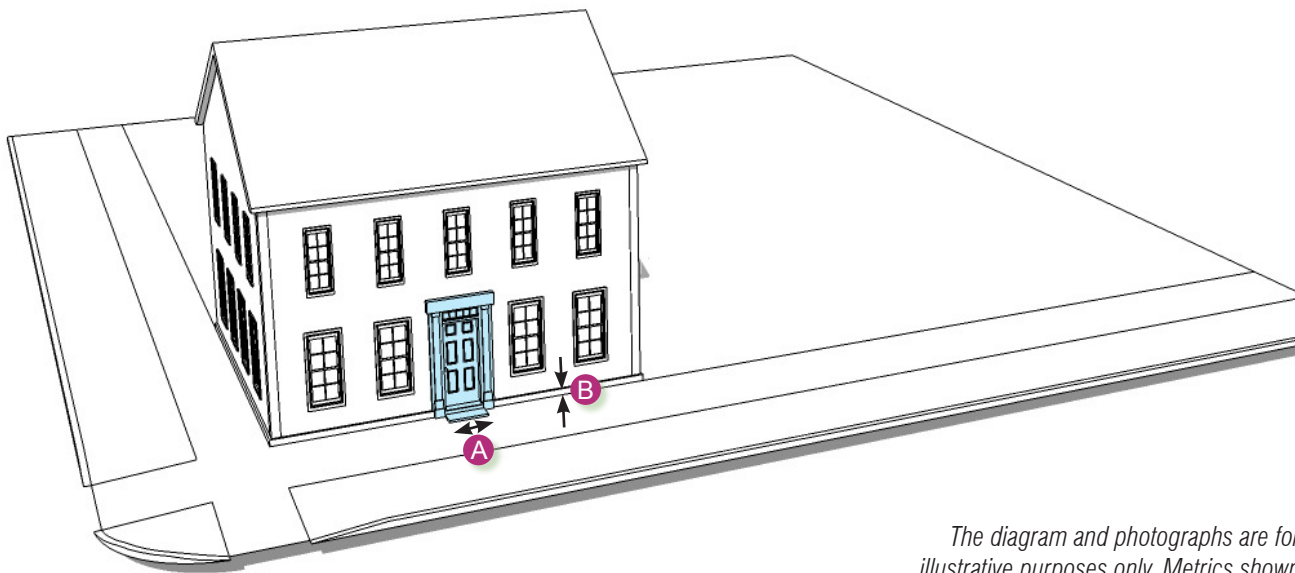
Shall not be used for circulation for more than one ground floor entry.



Dooryards are allowed to Encroach within the First Lot Layer to the Frontage Line and may extend the depth of the maximum required front yard setback to an amount equal to its maximum depth.

Dooryards may not contain Driveways, parking, loading or service areas or mechanical equipment or vents.

14.5.10 - DOORWAY



The diagram and photographs are for illustrative purposes only. Metrics shown thereon shall have regulatory effect.

14.5.10-A - DESCRIPTION

A Private Frontage where the Building Facade is aligned close to or at the Frontage Line, and the Principal entrance provides an at-grade entry. To the extent there is a First Lot Layer, it may be planted or paved to join with the adjoining public Sidewalk. This type is commonly associated with ground-floor Residential use.

14.5.10-B - ALLOWED WITH

Detached House	Multi-Family: Small
Duplex	Multi-Family: Large
Rowhouse	Mixed Use
	Perimeter Building

14.5.10-C - STANDARDS

Depth of recessed entries	5' max.	
Path of travel	3' wide min.	A
Finish level above Sidewalk	18" max.	B

14.5.10-D - MISCELLANEOUS

This Frontage Type may be used in conjunction with other Frontage Types, such as Terrace, Dooryard and Gallery.



14.5.11- LIGHTWELL & LANDING



The diagram and photographs are for illustrative purposes only. Metrics shown thereon shall have regulatory effect.

14.5.11-A - DESCRIPTION

A Private Frontage where the Building Facade is set back from the Frontage line, and a Principal entrance is elevated and accessed by an exterior stair with or without a small landing, and/or sunken and accessed via a Lightwell. The Frontage Line adjoining the Lightwell is partially defined by a low wall, decorative fence or hedge providing a strong spatial definition from the public Sidewalk and safety for pedestrians passing by. This type is particularly well-suited for accommodating grade changes along a Frontage Line, allows for activation of below grade spaces, and buffering residential, retail or service uses from busy public Sidewalks. The First Lot Layer and Lightwell may be planted or paved to join with the adjoining public Sidewalk.

14.5.11-B - ALLOWED WITH

Rowhouse	Mixed-Use
Multi-Family: Small	Perimeter Building
Multi-Family: Large	

14.5.11-C - STANDARDS

Height		
Landing (above Sidewalk)	6' max.	A
Lightwell (below Sidewalk)	6' max.	B
Depth, Clear	5' min. 8' max.	C
Lightwell Height, Clear	8' min.	D
Path of travel	3' wide min.	E

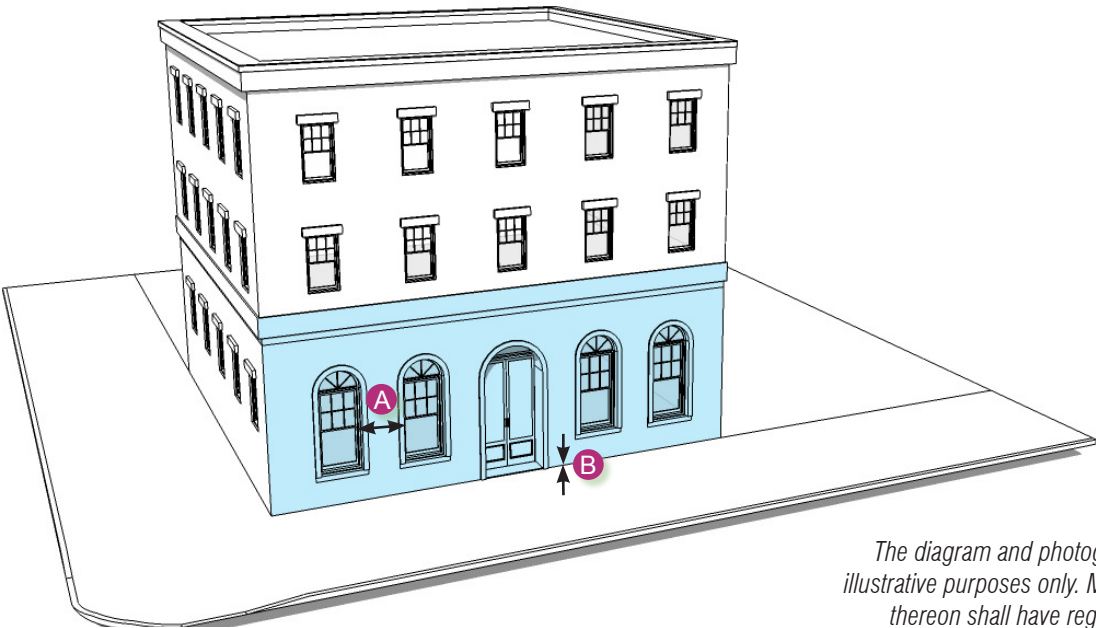


14.5.11-D - MISCELLANEOUS

A short fence shall be placed along the frontage line at the Lightwell for the safety of pedestrians.

Lightwells are allowed to Encroach within the First Lot Layer to the Frontage Line, and may extend the depth of the maximum required front yard setback to an amount equal to its maximum depth.

14.5.12 - OFFICEFRONT



The diagram and photographs are for illustrative purposes only. Metrics shown thereon shall have regulatory effect.

14.5.12-A - DESCRIPTION

A Private Frontage where the Building Facade is set back from the Frontage Line with individual at-grade entries for ground level uses provided directly onto the public Sidewalk. A separate entrance to upper stories may also be included. This type is commonly associated with office, retail, service or hospitality uses, and has substantial glazing on the Sidewalk level although not as required by a Shopfront, and may include an Awning or Canopy that may Encroach into the First Lot Layer and over-lap the Sidewalk. To the extent there is a First Lot Layer, it may be planted or paved with or without outdoor shopping or restaurant seating to join with the adjoining public Sidewalk.

14.5.12-B - ALLOWED WITH

Mixed Use Perimeter Building

14.5.12-C - STANDARDS

Distance between glazing	4' max.	A
Ground floor Facade voids (rough opening for windows and doors)	50% min. between 3' and 10' above the Principal Entrance level	
Depth of recessed entries	5' max.	
Principal Entrance level	At grade	B



14.5.12-D - MISCELLANEOUS

- The street-facing, street-level window must allow views into the ground story use for a depth of at least 3 feet for the first 4 feet above the level of the finished sidewalk, and for a depth of at least 8 feet for the next 4 feet above the level of the finished sidewalk. (GRAPHIC NEEDED)
- Windows cannot be made opaque by window treatments (except operable sunscreen devices within the conditioned space).
- External security shutters are not permitted.

14.5.13 - SHOPFRONT



The diagram and photographs are for illustrative purposes only. Metrics shown thereon shall have regulatory effect.

14.5.13-A - DESCRIPTION

A Private Frontage where the Building Facade is aligned close to or at the Frontage Line with individual at-grade entries for ground level uses provided directly onto the public Sidewalk. A separate entrance to upper stories may also be included. This type is commonly associated with retail, service or hospitality uses, and has substantial glazing on the Sidewalk level and may include an Awning or Canopy that may Encroach into the First Lot Layer and over-lap the Sidewalk. To the extent there is a First Lot Layer, it may be planted or paved with or without outdoor shopping or restaurant seating to join with the adjoining public Sidewalk.

14.5.13-B - ALLOWED WITH

Mixed Use Perimeter Building

14.5.13-C - STANDARDS

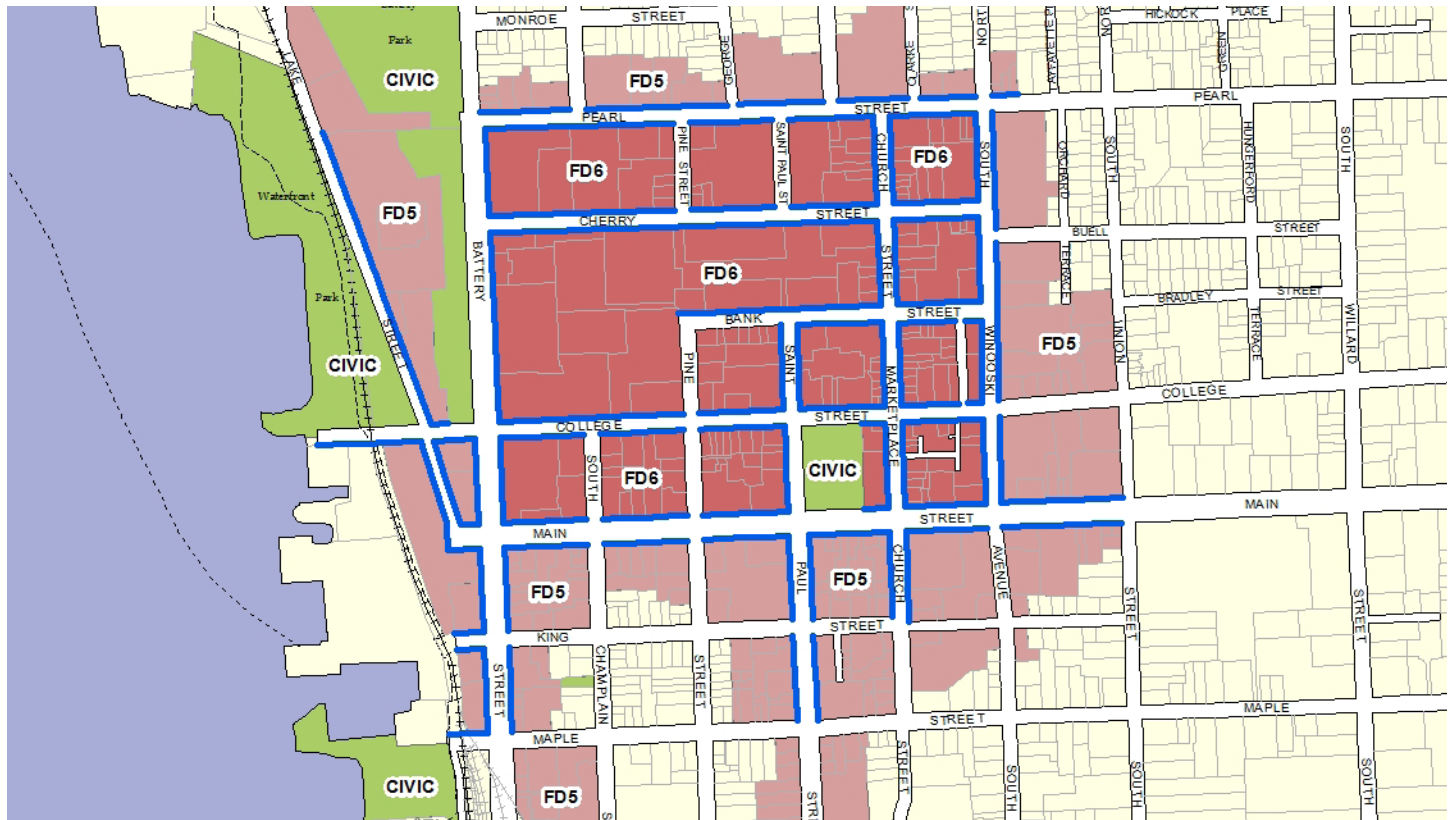
Distance between voids	2' max.	A
Sill Height	3' max.	
Ground floor Facade voids (rough opening for windows and doors)	70% min. between 3' and 10' above the Principal Entrance level.	
Depth of recessed entries	5' max.	
Principal Entrance level	At grade, unless used with a Lightwell & Landing or Terrace Frontage Type	B



14.5.13-D - MISCELLANEOUS

The street-facing, street-level window must allow views into the ground story use for a depth of at least 3 feet for the first 4 feet above the level of the finished sidewalk, and for a depth of at least 8 feet for the next 4 feet above the level of the finished sidewalk. (GRAPHIC NEEDED)

MAP 3 - SHOPFRONT FRONTAGE REQUIRED (EXCERPT)



14.5.13-D - MISCELLANEOUS

Areas where a Shopfront Frontage shall be as depicted on Downtown and Waterfront District Regulating Plan - Map 3 - Shopfront Frontage Required.

See [Section 14.6.10](#) (Sign Standards) for Signs requirements.

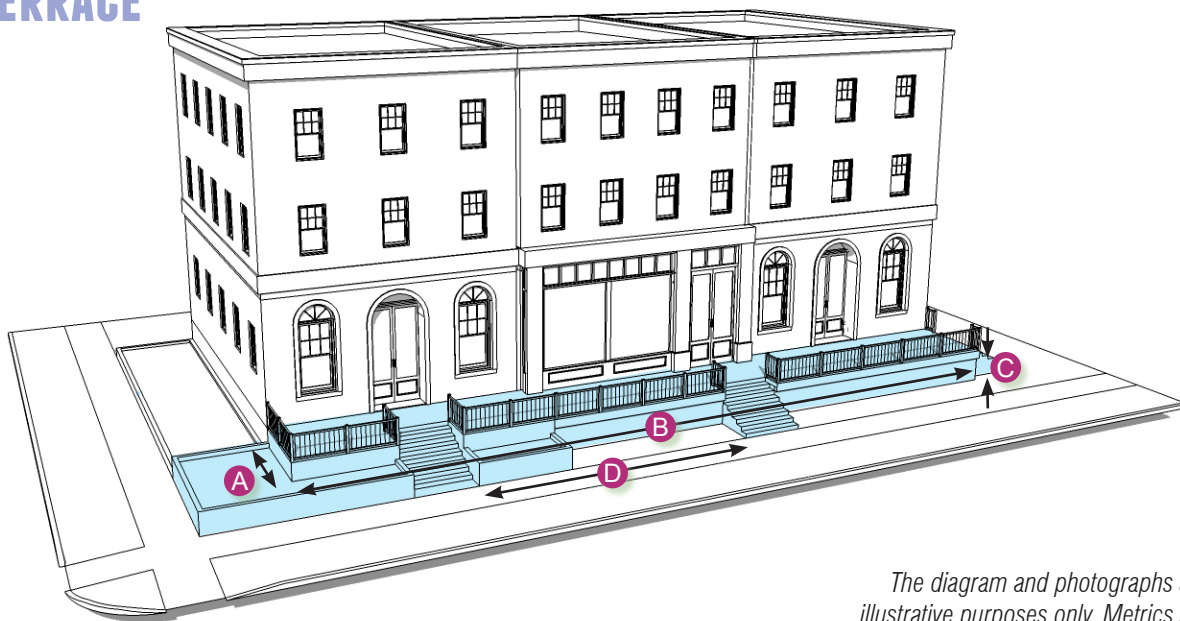
This frontage type may also be used in conjunction with other frontage types such as Lightwell & Landing, Arcade, Forecourt, Courtyard, Gallery and Terrace.

The following Design Standards shall be applicable:

1. Windows cannot be made opaque by window treatments (except operable sunscreen devices within the conditioned space). Open display of merchandise is encouraged.
2. Any First Lot Layer shall be paved to match the Sidewalk.
3. Shopfront doors, windows, awnings, Signs and lighting shall be designed as a unified whole.
4. Accordion-style doors/windows or other operable windows that allow the space to open to the street are encouraged.
5. External security shutters are not permitted.



14.5.14- TERRACE



The diagram and photographs are for illustrative purposes only. Metrics shown thereon shall have regulatory effect.

14.5.14-A - DESCRIPTION

A Private Frontage where the Building Facade is at or near the frontage line with an elevated terrace that may Encroach into the First Lot Layer providing level or terraced public circulation along the façade. This type can be used to provide at-grade access while accommodating a grade change along a Frontage Line. Frequent steps up to the terrace are necessary to avoid dead walls and maximize Access. This type is required to be used in conjunction with other Frontage types to define individual or shared entries facing the street.

14.5.14-B - ALLOWED WITH

Multi-Family: Small	Mixed-Use
Multi-Family: Large	Perimeter Building

14.5.14-C - STANDARDS

Depth, Clear	5' min. 15' max	A
Length of terrace	150' max.	B
Finish level above Sidewalk	3' max.	C
Distance between stairs/Access	50' max.	D

14.5.14-D - MISCELLANEOUS

This Frontage Type shall be used in conjunction with those for the Shopfront, Officefront, or Doorway Frontage Types.

Low walls used as seating are encouraged.

A Terrace is allowed to Encroach within the First Lot Layer to the Frontage Line and may extend the depth of the maximum required front yard setback to an amount equal to its maximum depth.



14.5.15- FORECOURT

14.5.15-A - DESCRIPTION

A Private Frontage where the Building Facade is setback from the Frontage Line with individual at-grade entries for ground level uses provided directly onto a permanent outdoor patio. The First Lot Layer may be planted and include a fence to maintain spatial definition with the public right-of-way, and shall otherwise be paved to support outdoor seating and dining and join with the adjoining public Sidewalk. Awnings or Canopies may Encroach into the First Lot Layer and over-lap the Sidewalk. This type should be used sparingly, and is required to be used in conjunction with other Frontage types to define individual or shared entries facing the street.

14.5.15-B - ALLOWED WITH

Mixed-Use Perimeter Building

14.5.15-C - STANDARDS

Depth	20' max.	A
Width	75% of Building width min.	B
Finish level above Sidewalk	At grade	C
Patio Hardscape Coverage	75% min.	

14.5.15-D - MISCELLANEOUS

This Frontage Type shall only be used in conjunction with a Shopfront or Officefront Frontage Type.

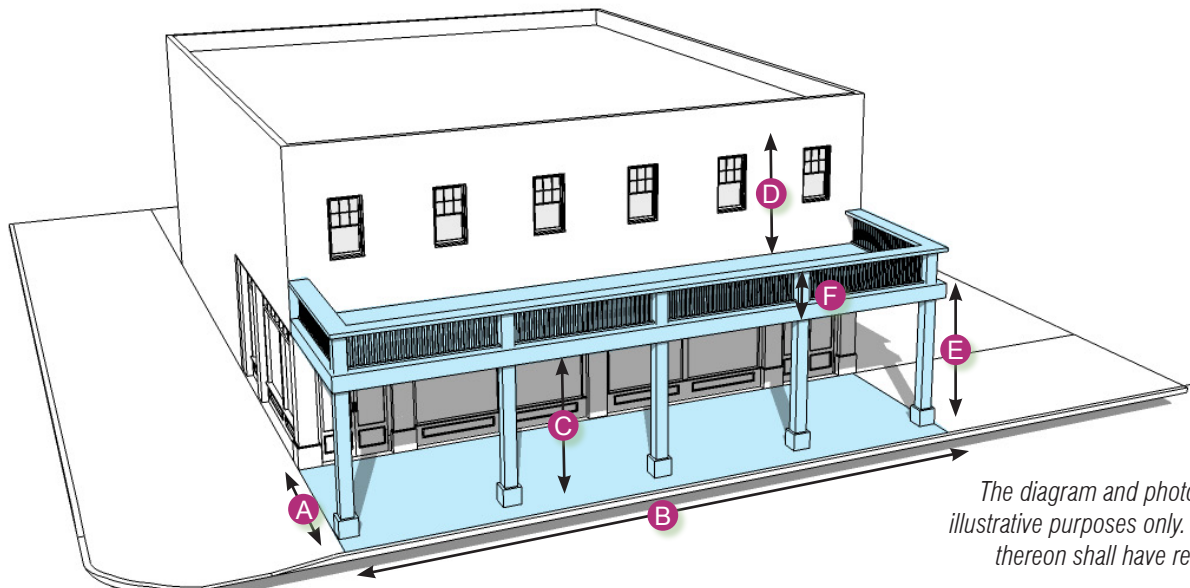
A Forecourt may extend the depth of the maximum required front yard setback to an amount equal to its maximum depth.

A Forecourt may not contain Driveways, parking, loading or service areas or mechanical equipment or vents.

With the exception of moveable umbrellas and retractable awnings, a Forecourt must be open to the sky and shall not be covered or enclosed.



14.5.16- GALLERY



The diagram and photographs are for illustrative purposes only. Metrics shown thereon shall have regulatory effect.

14.5.16-A - DESCRIPTION

A Private Frontage where the Building Facade is set back from the Frontage Line with an attached one or two story cantilevered shed or a lightweight colonnade that fully Encroaches into the First Lot Layer. This type is intended for Buildings with ground floor commercial, hospitality or retail uses. This type is required to be used in conjunction with other Frontage types to define individual or shared first floor entries facing the street.

14.5.16-B - ALLOWED WITH

Mixed-Use Perimeter Building

14.5.16-C - STANDARDS

Depth	8' min.	A
Width	Equal to width of the Facade	B
Ground floor height, Clear	14' min.	C
Upper floor height, Clear	9' min.	D
Height	Equal to the second Story floor level	E
Upper floor railing height	5' max.	F

14.5.16-D - MISCELLANEOUS

This Frontage Type shall only be used in conjunction with a Shopfront, Officefront or Doorway Frontage Type.

No external stairways are allowed to reach the upper-Story portion of galleries along a frontage.

Galleries shall remain open on three sides and may have a roof or awning covering the upper floor.

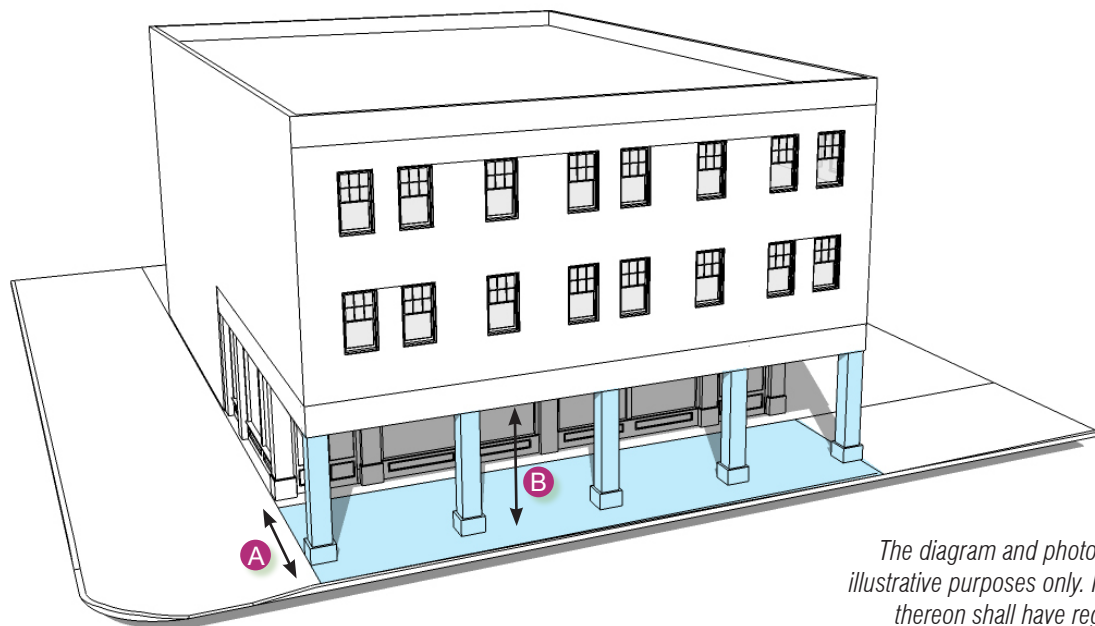
Galleries shall have a consistent depth along a frontage.

Galleries are allowed to Encroach within the First Lot Layer to the Frontage Line, but in no case shall it extend in the public ROW.

Galleries may not contain Driveways, parking, loading or service areas or mechanical equipment or vents.



14.5.17 - ARCADE



The diagram and photographs are for illustrative purposes only. Metrics shown thereon shall have regulatory effect.

14.5.17-A - DESCRIPTION

A Private Frontage where only the ground floor level of the Building Facade is set back from the Frontage Line. The Building Facade for the upper floors is at the Frontage Line and is supported by a colonnade with habitable space above. This type is intended for Buildings with ground floor commercial, hospitality or retail uses. This type is required to be used in conjunction with other Frontage types to define individual or shared first floor entries facing the street

14.5.17-B - ALLOWED WITH

Mixed-Use

Perimeter Building

14.5.17-C - STANDARDS

Depth, Clear	12' min.	A
Height	1 Story max.	
Height, Clear	14' min.	B

14.5.17-D - MISCELLANEOUS

This Frontage Type shall only be used in conjunction with a Shopfront Frontage Type.

Arcades shall have a consistent depth across the entire Facade.

Arcades may not contain Driveways, parking, loading, or service areas or mechanical equipment or vents.



SECTION 14.6: APPLICABLE IN ALL FORM DISTRICTS

SUBSECTIONS:

14.6.1	Purpose	14.6.9	Bicycle Parking Standards
14.6.2	Applicability	14.6.10	Sign Standards
14.6.3	Yard Types & Lot Layers	14.6.11	Architectural Standards
14.6.4	Topography and Hillside Requirements	14.6.12	Landscape and Site Standards
14.6.5	Building Height	14.6.13	Stormwater Management
14.6.6	Historic Building and Districts	14.6.14	Outdoor Lighting
14.6.7	Special Use Regulations	14.6.15	Telecommunications Equipment
14.6.8	Parking, Loading, Service, Driveways and Circulation	14.6.16	Review and Approval of Civic Spaces and Civic Buildings

14.6.1- PURPOSE

This Section establishes standards that supplement the regulations of each Form District. The standards are specific to particular aspects of development, such as parking and Sign Standards. These standards are intended to promote development that complements and reinforces the vibrant, mixed-use pedestrian environment of Burlington.

14.6.2- APPLICABILITY

This Section applies to all development in applicable Form Districts. The specific standards and requirements applicable to a Form District (Section 14.3 Specific to Form Districts), Building Type (Section 14.4 Specific to Building Types) and/or a Frontage Type (Section 14.5 Specific to Frontage Types) shall modify and take precedence without limitation over any duplicative or conflicting provisions of this Section.

Each Subsection within this Section further refines the applicability of the standards.

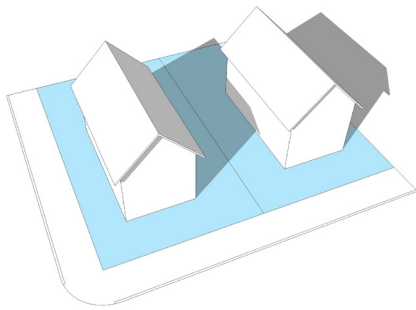
14.6.3 - YARD TYPES AND LOT LAYERS

- a) Purpose. This Subsection establishes Yard Types and Lot Layers used to determine the placement of buildings on a Lot within each Form Districts.
- b) Yard Types. Buildings and Lots shall conform to the Yard Type standards within each Form District, as set forth in Table 14.6.3-A (Yard Types).

TABLE 14.6.3-A - YARD TYPES

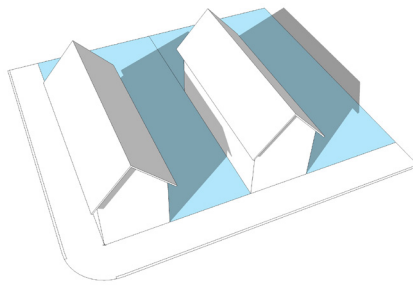
EDGEYARD

A Lot where a building occupies the center of its Lot with Setbacks on all sides. This is the least urban of types as the front yard sets back from the frontage.



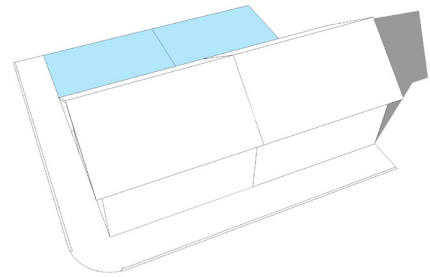
SIDEYARD

A Lot where the building occupies one side of the Lot with the Setback to the other side. A shallow frontage Setback defines a more urban condition.



REARYARD

A Lot where the building occupies the full frontage, leaving the rear of the Lot as the sole yard. This is a very urban type as the continuous façade defines the Public Frontage/realm.



- c) Lot Layers. Lots are composed of three Lot Layers, the First Lot Layer, the Second Lot Layer and the Third Lot Layer, as shown in [Illustration 14.6.3-A \(Lot Layers\)](#).
- i. First Lot Layer: that portion of a Lot between the Frontage Line and the Façade of the Principal Building situated on or to be situated on the Lot.
 - ii. Second Lot Layer: that portion of a Lot bounded by the Façade of the Principal Building situated on or to be situated on the Lot and a line which is 20 feet from and parallel to the Façade of the Primary Building situated on or to be situated on the Lot.
 - iii. Third Lot Layer: that portion of a Lot bounded by (a) the Second Lot Layer and (b) the Rear Lot Line.

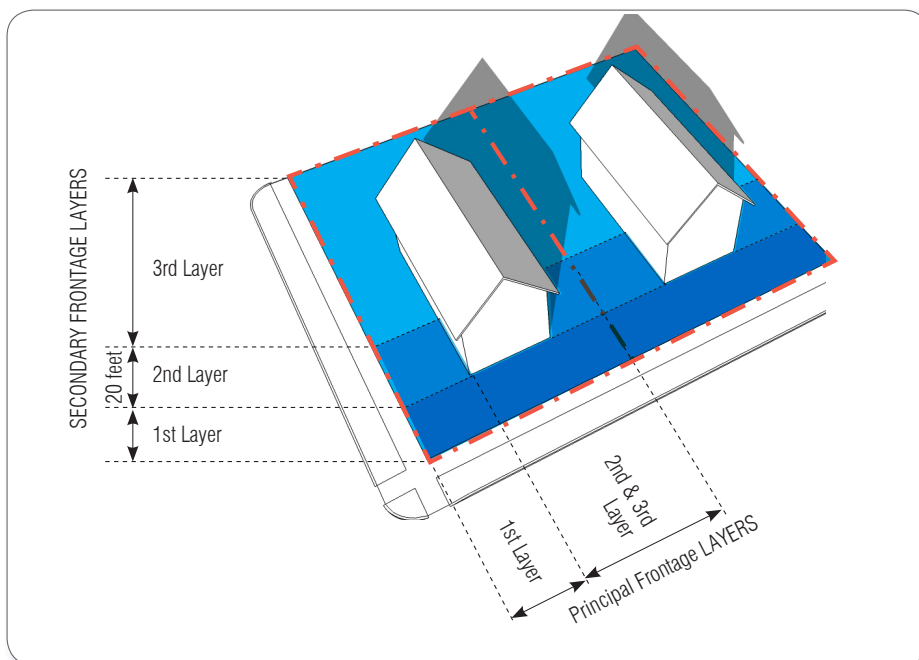


Illustration 14.6.3-A - Lot Layers

14.6.4 - BUILDING HEIGHT

- a) Purpose and Applicability. This Subsection shall apply to all Form Districts and establishes the methodology used to measure and calculate the height of a Building to ensure that new development is consistent with the character and scale of Burlington. The maximum and minimum height of a Building shall be as determined by Section 14.3 Specific to Form Districts and Section 14.4 Specific to Building Types where applicable.
- b) Building Height in Feet. Building height shall be measured in accordance with the provisions of Sec. 5.2.6 (a) Height Measurement of the BCDO.
- c) Building Height by Story. A Story or floor shall be measured as follows for purposes of regulating the height of a Building:
- Upper floors, mezzanines or lofts having a clear height of more than 7½ feet measured from finished floor to finished ceiling must extend beyond 33% of the floor area below to be counted as an additional Story.
 - Basement floors with 50% or more of its exterior perimeter wall greater than 4 (four) feet in height shall count as a Story. The height of the exterior wall shall be measured from the finished grade to the finished floor of the story above.
 - Where a lot slopes downward from the Frontage line, one story that is additional to the specified maximum number of stories may be built on the lower, rear portion of the lot.
- d) Basements and Crawl Spaces
- Exposed basement walls visible along any Frontage shall not exceed 9 (nine) feet in height measured from the exterior finished grade to the finished floor of the Story above.
 - Unfinished crawl spaces taller than 3 (three) feet shall be screened from view of public Thoroughfares with landscaping.
 - Unfinished crawl spaces shall not exceed 5 (five) feet in height measured from the exterior finished grade to the finished floor of the Story above.
- e) Grading or Regrading of Sites. Sites with uneven topography present unique issues in relation to building height. Buildings on steep slopes shall reflect the pre-construction topography of the site. When a site's topography is modified, the site shall be graded in such a way to avoid the following features:
- Retaining walls or blank walls taller than 4 feet in height along required Principal or Secondary Frontage;
 - Retaining walls taller than 8 feet in height along the rear or side setbacks; and
 - The construction of buildings that do not reflect the preconstruction topography of the site. Illustrations 14.6.4-A & 14.6.4-B below show methods of appropriate site grading methods.
- f) Administrative Relief. [Subsection 14.7](#) (Varying The Form; Administrative Relief) provides a process to obtain relief from the standards found in this Chapter due to topographic constraints.



Illustration 14.6.4-A - Appropriate Site Grading

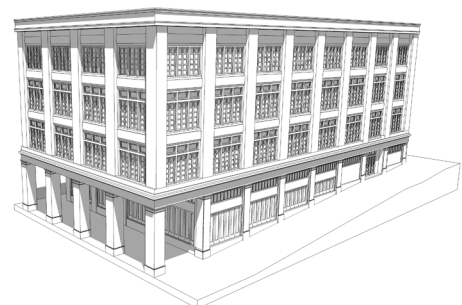


Illustration 14.6.4-B - Appropriate Site Grading

e) Discretionary Building Height: The Development Review Board has the discretion to approve additional Building height over the by-right height allowed in the respective Form District up to the maximum discretionary height. After a Public Hearing, and review by the Design Advisory Board, each of the following shall be addressed to the satisfaction of the Development Review Board in making it's determination to grant additional height:

- i. Conformance and Consistency:
 - a. Conformance with the adopted land use and development plans for the area as addressed in the Municipal Development Plan;
 - b. The consistency with the purpose of this ordinance;
 - c. The consistency with the intent of the Form District where the project is located;
- ii. Design:
 - a. The proposed building presents an architecturally significant design that emphasizes slender, vertically-oriented proportions to assure a rich visually interesting experience as viewed within the context of the downtown skyline and reinforces opportunities for establishing points of reference for visual orientation; and provides visual interest and human scale at the pedestrian level through the use of a variety of scales, materials, fenestration, massing or other architectural design techniques;
 - b. The building has been sited and designed so as to be compatible with the surrounding area and not create an undue adverse impact with the development, use and enjoyment of adjacent property
 - c. Step backs, horizontal and vertical variation, selection of materials and/or other architectural design technics are used to reinforce the street wall, create transitions from buildings of a smaller mass and height, and reduce the actual and perceived height and mass of the upper stories from the street level;
 - d. Upper story proportions of the building are oriented, tapered and/or separated into separate masses in order to retain sky view between individual buildings from the public Thoroughfare.

f) Allowed Encroachments Beyond Height Limits: Encroachments beyond the maximum Building Height limits in any Form District may be permitted subject to the limitations in Table 14.6.4-A below:

TABLE 14.6.4-A: ALLOWED ENCROACHMENTS BEYOND HEIGHT LIMITS

ELEMENT	ADDITIONAL REQUIREMENTS
Antennas or Chimneys	Shall not exceed 10 feet above the top of the building. Antennas and telecommunications equipment shall be positioned away from the roof-edge and fully screened from street level view.
Steeple, Towers, Spires, Belfies, Cupolas or Other Unoccupied Architectural Features	Shall not exceed the maximum Building height limit by more than 28 feet. Such features shall be incorporated in a manner consistent with the overall architectural design of the Building.
Stairs Towers or Elevator Towers ^{1, 2}	Shall not exceed the maximum height limit by more than 12-feet and occupy more than 20% of the roof area. Where incorporated into and hidden within the roof structure or a mechanical penthouse, no such area limit shall apply.
Mechanical Equipment and Screening ^{1, 2}	Shall not exceed 12-feet and occupy more than 20% of the roof area.
Unoccupied Mechanical Penthouse ¹	Shall not exceed 20-feet and must be setback a minimum of 10-feet from the roof-edge.
Solar Panels, Solar Water Heating or Wind Turbines ³	Shall not exceed 20% of the building height.
Urban Agriculture Structures	Shall not exceed 10 feet.

¹ Also see Urban Design Standards (Sec. 14.4.13) for screening requirements.

² Area limitations shall be cumulative.

³ Exempt from any height or area requirements if net metered. (See 24 V.S.A. 4412(6) and 4413 (b) & (g).)

14.6.5 - HISTORIC BUILDINGS AND DISTRICTS

The regulations found in the Burlington Comprehensive Development Ordinance (BCDO), Article 5, Section 5.4.8 (Historic Buildings and Sites) shall apply in all Form Districts.

To the extent that any Form District, Building Type or Frontage Type standards threaten or conflict with the ability to maintain the historic integrity of a Historic Building or Site, the process for granting relief by the Development Review Board in [Sec. 14.7.3 b\)](#) shall be followed in order to provide for suitable alternate compliance.

14.6.6 - SPECIAL USE REGULATIONS

- a) **Purpose and Applicability.** This Subsection provides specific site planning, development, and operating standards for certain land uses and activities to ensure their compatibility with existing uses. The following shall apply in all cases where such uses listed below are otherwise permitted or conditionally permitted pursuant to [Section 14.3](#) - Specific to Form Districts.
- b) **Day Care Centers.** The following shall be applicable to an application involving any type of day care center:
 - i. No playground equipment shall be located within the First Lot Layer;
 - ii. Adequate and safe drop-off and pickup space shall be provided;
 - iii. Any modifications, additions, Signs, or site Improvements shall conform to the requirements of the Form District; and,
 - iv. No more than one residential unit on any parcel may be converted for the creation of a single small day care center. Such a conversion shall be exempt from the requirements of Article 9, Part 2- Housing Replacement.
- c) **Historic Inns.** The following shall be applicable to an application involving a historic inn:
 - i. The Principal Building shall be listed, or eligible for listing, on the State or National Register of Historic Places, and located on a Lot of record as of January 1, 2007 with a minimum of one-half (1/2) acre (21,780 Square feet) in size and located on a major street;
 - ii. In Form Districts where a Historic Inn is a conditional use, the premises shall be occupied by a person as their primary residence who is an owner or resident manager of the property or of the business;
 - iii. The maximum number of guest rooms allowed shall be limited by the existing gross Square floor area of the pre-existing Principal Building including additions of up to an additional 20%;
 - iv. Common dining facilities, and ancillary events limited to indoor business meetings and meals served in conjunction with those meetings, for overnight guests and their guests may be included;
 - v. Any additions or exterior modifications to the principal Structure shall be subject to the standards for historic buildings in Sec 5.4.8 of the BCDO; and,
 - vi. Any additional modifications, additions, Signs, or site Improvements shall conform to the requirements of the Form District.
- d) **Motorized Vehicle Service, Repair, and Fuel Sales.** The following shall be applicable to any application involving motorized vehicle service, repair and/or fuel sales:
 - i. Fuel pumps shall be located at least 15 feet from any Lot Line;
 - ii. Access to a public street shall be located a minimum of 50 feet from any intersection between public Thoroughfares and shall be approved by the City Engineer. Shared Access between Adjacent properties is encouraged in order to reduce congestion and improve safety;
 - iii. The width of any Curb-cut shall be limited to no more than 24';
 - iv. Where canopies are proposed over gas pump islands, they shall not be located in the First Lot Layer and be within five feet of a Lot Line.
 - v. No Signs or fascia lighting may be placed on or within any pump canopy;
 - vi. No outdoor vending, display or storage of materials, goods, supplies, or equipment shall be permitted; and,
 - vii. There shall be a least one Sidewalk dedicated exclusively for pedestrians from a public way/Sidewalk to the store entrance.

- e) Community House. The following shall be applicable to an application involving a Community House:
- Density shall not exceed 1 person per two hundred (200) Square feet of gross floor area;
 - All standards for the underlying Form District shall continue to be applicable; and,
 - The minimum distance (Lot Line to Lot Line) between any two Community Houses shall not be less than the following:

TOTAL OCCUPANCY (BEDS)	DISTANCE (FEET) BETWEEN COMMUNITY HOUSES
6 or less	0 ft
7 – 12	500 ft
13 – 20	1,000 ft
21 or more	1,500 ft

- f) Home Occupation. The following shall be applicable to an application involving a Home Occupation:
- Any Home Occupation shall clearly be secondary or incidental to a principal residential use;
 - The Home Occupation shall be conducted only inside the Dwelling or inside an Accessory Building;
 - No outdoor display or storage of materials, goods, supplies, or equipment shall be permitted in connection with any Home Occupation;
 - No Home Occupation may increase vehicular traffic flow or parking by more than one additional vehicle at a time for customers or deliveries;
 - No Home Occupation shall utilize flammable, toxic or hazardous materials in quantities not customary to a residential use;
 - No Home Occupation shall create any sound, noise, dust, vibration, smell, smoke, heat, humidity, glare, radiation, electrical interference, fire hazard or any other hazard, nuisance or unsightliness which is discernible beyond the boundaries of the property that is not customarily associated with a residential use;
 - All standards for the underlying Form District shall continue to be applicable;
- g) Crisis Counseling Center. The following shall be applicable to an application involving a Crisis Counseling Center:
- A Crisis Counseling Center may only be permitted on Lots fronting the following streets: Main St., St. Paul St., and Pearl St.;
 - A Crisis Counseling Center may only be permitted in a Principal Building existing as of January 1, 2007;
 - Secondary residential use in the same building or on the same Lot may be permitted; and,
 - All standards for the underlying Form District shall continue to be applicable.

- h) Outdoor Dining and Entertainment Areas. The following shall be applicable to an application on private property involving outdoor dining and entertainment for restaurants and drinking establishments:
- With the exception of the Frontage, decorative walls or fencing shall be used to enclose the outdoor area;
 - Furniture and fixtures provided for use in an outdoor area may consist only of movable tables, chairs, umbrellas, planters, lights and heaters. Lighting fixtures may be permanently affixed onto the exterior of the building. All movable furniture and fixtures shall be removed during the off-season.
 - Any outdoor area located within 100 feet of a boundary with a residential zoning district requires Conditional Use approval from the Development Review Board;
 - Any outdoor area located within 500 feet of a boundary with a residential zoning district:
 - may not exceed 50 percent of the indoor area Accessible to the public. Any additional outdoor dining area requires Conditional Use approval from the Development Review Board; and,
 - may not include the use of audio/visual equipment or amplified sound without Conditional Use approval from the Development Review Board;

iii. Outdoor liquor consumption and entertainment requires a permit from the City Council. Any outdoor activity on any public Sidewalk or Alley also requires an encumbrance permit from the City Council.

i) Solid Waste Storage Areas. Solid waste and recycling containers and enclosures for all multi-family residential and non-residential developments shall comply with the following:

- i. Solid waste and recycling enclosures and containers may not be located or stored in the First Lot Layer, or within or block access to any required Access, parking or Landscape Areas or any other area required by law to be maintained.
- ii. Solid waste and recycling containers shall be enclosed or screened so as not to be visible from the right-of-way or other publicly Accessible areas. Storage within a Principle Building is preferred.
- iii. Solid waste and recycling enclosures may consist of a solid wood or masonry walls, wooden stockade, picket or lattice fencing or screened by landscaping, shall be enclosed on all sides, one of which includes a gate or door that can be secured, and be a minimum of one foot taller than the solid waste and recycling container(s) within; and,
- iv. All containers and/or enclosures shall be covered and maintained in a manner that prevents blowing trash and is secured from rodents or other pests.

14.6.7 - PARKING AND CIRCULATION

a) Purpose. This Subsection regulates and ensures the provision of parking spaces and Access drives are designed for motor vehicles. The Subsection also provides options for adjusting parking requirements and providing parking alternatives. These standards ensure that parking needs of new land uses and development are met, while ensuring parking spaces and Access drives are designed and located in a manner consistent with the desired character and development patterns of walkable communities as outlined in *planBTV - Downtown & Waterfront Master Plan*.

b) Applicability. In addition to the provisions of this Subsection, the provision of Article 8 of the *Burlington Comprehensive Development Ordinance* regarding parking shall be applicable in all Form Districts. Pursuant to Sec. 8.1.3 Parking Districts, Form Districts 5 and 6 shall be included in the Downtown Parking District.

The requirements as set forth in this Subsection and **Section 14.3** (Specific to Form Districts) shall apply to new development, changes in land use, or changes to a Building or Structure that cause an increase or decrease of 25 percent or greater made subsequent to the effective date of this Article of one of the following:

- A. Gross floor area
- B. Seating capacity
- C. Dwelling Units.

c) General Parking, Loading, Service and Driveway Standards

- i. Portable cargo or freight storage containers, trucks, tractors or tractor-trailers having a capacity of more than a one-and one-half-ton load, front- and rear-end loaders, or any commercial, industrial, agricultural, recreational or transportation vehicles or equipment shall not be parked or stored within any district for purposes other than short-term unloading, loading or delivery services, or temporary construction within the district.
- ii. Automobiles, small trucks, vans, vehicle trailers permitted in conjunction with an approved Home Occupation (one per Home Occupation), regularly utilized for personal or business use may be allowed.
- iii. Automotive vehicles, trailers, or vehicles of any kind or type, requiring licenses, but without current plates or inoperable, shall not be parked in any Form District unless completely enclosed within a Building.
- iv. Loading and service areas, overhead doors, and other service entries shall not be located on a primary street Facades and shall be screened from view by a Building or Streetscreen.
- v. Drive-thrus are not allowed.

d) On-Site Parking Spaces Required

- i. The minimum and maximum number of parking spaces, including modifications thereof and bicycle parking requirements, shall be determined as required in Article 8 of the *Burlington Comprehensive Development Ordinance*.
- ii. Previously permitted on-site parking requirements applicable to any Lot or Building prior to the effective date of this Article that exceed those listed in Table 8.1.8-1 Minimum Off-Street Parking Requirements found in Article 8 of the *Burlington Comprehensive Development Ordinance* may be reduced to comply with the standards for the Form District by the Administrative Officer without fee.

e) Parking Structures and Garages:

- i. With the exception of individual Garages serving a Duplex or Rowhouse Building Type, all Parking Structures and Garages shall be located behind a Perimeter Building (See [Section 14.4.13](#)) or enclosed within a Building that provides active uses at the street level along the width of the Frontage.
- ii. Where upper stories of parking are located at the perimeter of a Building, they must be screened so that cars are not visible from a ground level view from adjacent property or adjacent public street right-of-way, and headlights are not visible from any adjacent properties.
- iii. All floors fronting a public street must be level (not inclined), and sloped ramps between parking levels must be setback a minimum of 20-ft from the Building Façade and shall not be discernible along the perimeter of the parking structure.

f) Parking Lots and Parking Areas:

- i. All Parking Lots and Parking Areas shall be screened from view from a Thoroughfare by a Building or a landscaped area as follows:
 - a. A minimum 10-foot wide landscaped area, or a 36-inch high wall within a minimum five-foot wide landscaped area, with a continuous row of trees and/or shrubs must be provided between the street and parking lot.
 - b. Plantings must be a minimum of 18 inches in height when planted and must reach a minimum size of 36 inches in height within three years of planting.
 - c. Breaks for pedestrian and vehicle access are allowed.
- ii. All Parking Lots and Parking Areas shall be setback a minimum of 5-feet from any side or rear property line

h) Parking Spaces, Lot Design and Layout

- i. Lot Design and Layout. The dimensions of parking spaces shall be determined as required in Article 8 of the *Burlington Comprehensive Development Ordinance*.
- ii. Access. The following standards are applicable to off-street parking lot access design unless modified by [Section 14.3](#) (Specific to Form Districts).
 - a. All off-street parking facilities shall be designed with an appropriate means of vehicular Access to a Thoroughfare or to an Alley to cause the least interference with traffic flow. Access from developments of two or fewer Dwelling Units onto public Thoroughfares shall be, where practicable, by forward motion of the vehicle. Access from all other developments shall be by forward motion of the vehicle only.
 - b. Parking spaces shall not be designed or located so as to permit a vehicle to enter or exit a parking space directly from a public Thoroughfare. Ingress to and egress from parking spaces shall be from an on-site aisle or driveway. Parking spaces within Lots of up to eight spaces may be designed or located so as to permit a vehicle to enter or exit a parking space directly from a public Alley or rear lane.
 - c. Parking Areas and Loading and service areas shall be Accessed by a Rear Alley or Lane, or from a Secondary Frontage, where such is available and functional.
 - d. Driveways may be shared between Adjacent parcels.
 - e. The location, design and construction of all off-street parking Access points to a public Thoroughfare shall meet the requirements of the City Engineer.
 - f. Angled spaces may be configured as either head-in or back-in.
- ii. Stacked and Tandem Parking. Except as otherwise provided below, all parking facilities shall be designed so that each motor vehicle may proceed to and from the parking space provided for it without the moving of any other motor vehicle.
 - a. Vertically stacking 2 vehicles is allowed. Stacked and valet parking, or vertically stacking 3 or more vehicles, may be allowed only if an attendant is present to move vehicles.
 - b. Tandem Parking may be provided for an individual Dwelling Unit and dedicated employee-only parking where designed as such.

i) Materials and Markings

i. All off-street Parking Areas and Driveways shall be surfaced with an impervious surfacing material. The use of pervious or semi-pervious Parking Area surfacing materials for required vehicular surface area on a site including, but not limited to “grasscrete,” or recycled materials such as glass, rubber, used asphalt, brick, Block and concrete may be approved pending review and recommendation by the Department of Public Works, provided such areas are properly maintained. Where possible, such materials should be used in areas in proximity to and in combination with other stormwater control devices.

iii. Off-Street Parking Areas of four (4) or more spaces and off-street Loading Areas shall include painted lines, wheel stops, Curbing or other methods of identifying individual parking spaces and Loading Areas, while distinguishing such spaces from aisle and other circulation features and physically separating them from Landscape Areas and pedestrian walkways.

iv. All Parking Areas shall provide a physical separation between moving and parked vehicles and pedestrians in a manner that minimizes conflicts and gives pedestrians a safe and unobstructed route to building entrance(s) or a public sidewalk. Where Sidewalks and Driveways meet, the Sidewalk shall be clearly marked by differentiated ground materials and/or pavement markings.

j) Accessible Parking. All parking facilities that require Accessible parking spaces shall ensure that a portion of the total number of required parking spaces shall be specifically designated, located, and reserved for use by persons with physical disabilities, in accordance with the standards in the Federal Americans with Disabilities Act (ADA) as administered by the Dept. of Public Works. Parking Access aisles shall be part of an Accessible route to the building or facility entrance. Accessible parking spaces shall be designated as reserved for the disabled by a Sign showing the symbol of Accessibility. Painting of the paved area for the dedicated parking spaces alone shall not be sufficient as the sole means of identifying these spaces.l) Landscaping

i. Parking Areas and Parking Lots with ten (10) or more spaces shall be planted with two (2) Trees for every ten (10) spaces. Each row of parking shall be terminated with a landscape island (see [Sec. 14.6.12](#) Site and Landscape Standards) for Tree specifications.

ii. Parking Area and Parking Lot landscape islands may be combined as a component of a stormwater management plan to facilitate water harvesting.

iii. Where a pedestrian walkway is provided in a Parking Area or Parking Lot, it shall be at least five feet (5') wide, and the pavement shall be differentiated from the pavement of the Parking Area or Parking Lot through a change in surface texture, material, style, and/or color.

iv. Bollards, fences, tire stops or other similar devices shall be utilized to prevent parked vehicles from Encroaching onto a Sidewalk, or landscaped area.

14.6.9- SIGN STANDARDS

a) Purpose and Applicability. The purpose of this Subsection is to provide Property Owners and occupants an opportunity for effective identification subject to reasonable, yet appropriate conditions for identifying goods sold or produced or services rendered in all Form Districts, and maintain and enhance the quality of the City's appearance by:

i. Controlling the size, location and design of temporary and permanent Signs so that the appearance of such Signs will reduce Sign clutter, be aesthetically harmonious with their surroundings, and will enhance the overall appearance of the built environment.

ii. Ensure that Signs are located and designed to maintain a safe and orderly pedestrian and vehicular environment; and reduce potentially hazardous conflicts between commercial or identification Signs and traffic control devices and Signs.

The standards of this Subsection apply to all Signs as permitted by the Form Districts ([Section 14.3](#)). Signs regulated by this Subsection shall not be erected or displayed unless a zoning permit is obtained or it is listed as exempt.

b) Exempt Signs. The following Signs are exempt from the standards of this Subsection and are permitted in any Form District without a permit:

i. One identification Sign per Dwelling Unit or business not to exceed two (2) square feet which serves only to indicate the address.

ii. Public information, traffic control, identification, special event, directional, and other Signs erected by or at the direction of:

A. A government agency; or

B. A public utility or other quasi-public agent in the performance of a public duty.

iii. City entry, community or district identification Signs not exceeding eighty (80) square feet in area and eight feet in height.

- iv. Memorials/ Interpretative/Historical Sign or Tablets displayed by a public or education non-profit agency strictly for the purposes of informing or educating the public provided the area shall not exceed twelve (12) square feet per face.
- v. Names of buildings or dates of erection when carved in stone, concrete or similar material or made of bronze, aluminum or other permanent type material.
- vi. Property management and directional Signs displayed strictly for the control, direction, safety or convenience of the public provided the area of any such Sign shall not exceed two (2) square feet. Examples include but are not limited to: private nature of a road, Driveway or premises, Parking Area entrances or exits, regulating fishing or hunting and trespassing.
- vii. Credit card, trading stamp, or trade association Signs not exceeding one-half Square foot each and not exceeding ten per establishment.
- viii. Flags or emblems of religious or governmental organizations not exceeding forty (40) square feet each with no single dimension greater than eight (8) feet. The number of flags shall not exceed three per 50 feet of frontage. A flag may be flown from the supports on a building or be displayed on a pole not exceeding thirty (30) feet in height.
- ix. Repainting, refacing, repair or change of lettering, logo or colors using the same materials within an existing Sign frame.

c) Prohibited Locations and Features

i. Prohibited Locations:

- a. No Sign shall be located within or over the public right-of-way unless displayed by a governmental entity or as provided [Section 14.3](#) (Specific to Form Districts);
- b. Signs shall not be located on property without prior authorization granted by the Property Owner, or in the case of public parks or any public property without the permission of the City of Burlington;
- c. Signs shall not be located where the view of approaching or intersecting traffic would be obstructed;
- d. Signs shall not be located as to interfere with clear and unobstructed view of a highway or official Sign, and/or the safe movement of vehicles, bicycles or pedestrians operating within, entering, leaving or crossing a public right-of-way or Thoroughfare;
- e. Signs shall not be located on the roofs of Buildings or Structures;
- f. Signs shall not interfere with pedestrian movement along Sidewalks and paths;
- g. Signs shall not be attached to any traffic control Sign, utility pole, street Sign or Tree, except for Signs installed by or at the direction of a government agency for public information or special events;
- h. Signs shall not be mounted, attached or painted on a trailer, boat, or motor vehicle when parked, stored, or displayed conspicuously on private premises close to the public right-of-way or within public right-of-way in a manner intended to attract the attention of the public for advertising purposes, except where the motor vehicle or trailer is regularly and consistently used and moved to conduct normal business activities; and,
- i. Off-premise Signs which advertise or otherwise direct attention to any commodity or activity, sold, offered or conducted elsewhere than on the premises upon which such Sign is located.

ii. Prohibited Features

- a. Moving, flashing, or animated Signs including but not limited to searchlights, streamers and spinners;
- b. Inflatable Signs, such as but not limited to balloons, gas inflated Signs or similar inflated Signs;
- c. Portable Signs, except for Sandwich Board Signs as permitted by the Department of Public Works;
- d. Flags, other than those specifically allowed in [Sec. 14.6.9 b](#));
- e. Outdoor image projections (Signs projected from an external light source onto a building or Structure) or any other similar devices; and,
- f. Any Sign and materials that are distracting to motorists and interfere with the safe movement of vehicles, bicycles or pedestrians operating within, entering, leaving or crossing a public right-of-way or Thoroughfare.

d) Temporary Signs. Temporary Signs are allowed in all Form Districts and shall meet the following standards:

- i. Shall not be illuminated.
- ii. Shall meet the standards found in [Table 14.6.9-A](#) (Allowed Temporary Signs).
- iii. Permits are not required for allowed temporary Signs.

TABLE 14.6.9-A - ALLOWED TEMPORARY SIGNS**CONSTRUCTION SITE FREESTANDING SIGN**

Number of Signs	1 per site max.
Types Allowed	Freestanding or Wall
Total Sign Face Area	32 sf for residential max.; or 64 sf for commercial max.
Sign Height	8' max.
Location	Installed on the premises of a project under construction
Duration/Frequency	Installed no sooner than one week prior to the commencement of construction and shall be removed within 24 hours of completion of construction or if the project ceases construction for 12 months or longer.

CONSTRUCTION SITE WRAP SIGN

Number of Signs	1 per street frontage max.
Sign Height	12' max.
Location	Installed along the perimeter of the premises of a project under construction
Duration/Frequency	Installed no sooner than one week prior to the commencement of construction and shall be removed within 24 hours of completion of construction or if the project ceases construction for 12 months or longer.

CONSTRUCTION SITE WINDOW WRAP SIGN

Number of Signs	1 per window and/or door max.
Sign Area	Must fill the entire glazed portion of the window and/or door.
Location	Installed on the premises of a project under construction.
Duration/Frequency	Installed no sooner than one week prior to the commencement of construction and shall be removed within 24 hours of completion of construction or if the project ceases construction for 12 months or longer.

SPECIAL EVENT BANNER OR SIGN

Size	12' max. along any dimension for a maximum of 144 Square feet.
Duration/Frequency	Display shall not exceed 30 days with a minimum of 30 days between installation periods with a maximum of four display times per calendar year.

REAL ESTATE SALE/RENTAL SIGN

Number of Signs	1 per street frontage
Types Allowed	Freestanding or Window
Total Sign Face Area	6 sf max. per Sign
Sign Height	6' max if Freestanding
Location	These Signs may only be installed on the property to which they refer.
Duration	Shall be removed within three (3) days after a rental agreement has been executed or title has been transferred.

POLITICAL SIGN

Types Allowed	Freestanding or Window
Total Sign Face Area	6 sf max. per Sign
Sign Height	6' max if Freestanding
Duration/Frequency	Such Signs shall not be erected earlier than forty-five (45) days prior to the election to which they pertain and shall be removed within three (3) days afterwards.

e) Nonconforming Signs

- i. A nonconforming Sign must be brought into conformity with the provisions of the this Subsection, when:
 - a. The Sign is structurally or dimensionally altered or relocated; or
 - b. When the Principal Use of the property is changed from a commercial use to a residential use.
- ii. However, the repainting, refacing, repair or change of lettering, logo or colors using the same materials within an existing Sign frame is not considered an alteration within the meaning of this Subsection and shall not require a zoning permit.

f) Maintenance, Abandonment and Removal

- i. All Signs must be maintained in a condition or state of equivalent quality to which was approved or required by the City.
- ii. An on-premise Sign advertising an activity, business, service or product must be removed or the Sign face replaced with a blank face within 60 days of the activity, business, or service promoted by the Sign being discontinued on the premises where the Sign is displayed.
- iii. If the use is not reestablished or a new use is not established within two (2) years, then the entire Sign Structure and mounting hardware must be removed.

g) Sign Lighting. In addition to the outdoor lighting requirements of Sec. 5.5.2 of the Comprehensive Development Ordinance, the following requirements shall pertain to the lighting of all Signs:

- i. Signs shall be illuminated such that the illumination does not create glare or unduly illuminate the surrounding area.
- ii. In addition to other permitted Lamp types, neon, LED or similar lighting may be used to illuminate Signs.
- iii. Externally illuminated Signs:

Light fixtures used to illuminate Signs shall be top mounted and shall employ the use of grids, hoods, baffles or other such devices and aimed so that light is directed only onto the Sign face. The light source or reflective surfaces of the fixture shall not be visible from the public way or surrounding properties.

iv. Backlit (i.e. Halo) Signs:

Backlit Signs shall light the lettering, logo and other related Sign elements only, and the lighting design shall be such that no excess light spill or glare results from the back lighting fixtures and/or source. The back lit Sign shall not increase the measurable vertical light level at a point 20 feet distant from the Sign in any direction.

- v. Internally illuminated Signs:
 - a. Internally illuminated Signs shall be designed with light lettering and graphics against a dark field.
 - b. The Sign cabinet shall fully enclose the light such the light source is not visible from the exterior of the Sign.
 - c. Internally illuminated Signs shall be designed so that Lamps produce no more than 200 Initial Lumens per Square foot.

h) Master Sign Plan:

In order to provide for design quality, flexibility, compatibility, and consistency in larger Buildings and Building complexes with multiple tenants, a master sign plan must be filed for all sites occupied by more than three tenants where all signs must meet the requirements of the master sign plan. The master sign plan must indicate the standards of consistency as applicable of all signs on the subject property with regard to:

- i. Colors;
- ii. Letter/graphics style;
- iii. Location and Sign Type;
- iv. Materials;
- v. Methods of illumination; and/or
- vi. Maximum dimensions and proportion.

Any Master Sign Plan seeking relief from the requirements of this subsection may follow the process provided in Art. 7 Part3 of the BCDO.

i) Permanent Signs

- i. Permanent Signs shall meet the standards set forth in [Section 14.6.9](#), and [Tables 14.6.9-C](#) through [14.6.9-K](#) below.
- ii. The allowed Sign Types within any Form District shall be as set forth in [Section 14.3](#) (Form Districts).

TABLE 14.6.9-B - SIGN TYPES SUMMARY TABLE [NOT REGULATORY]


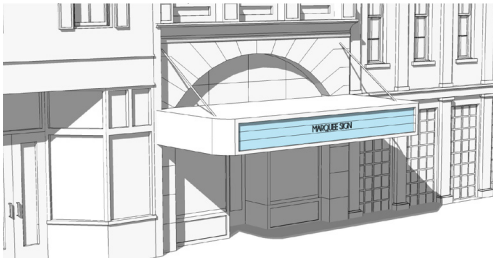
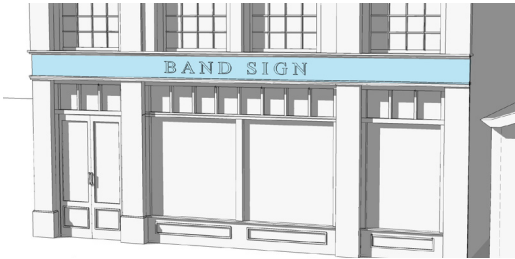
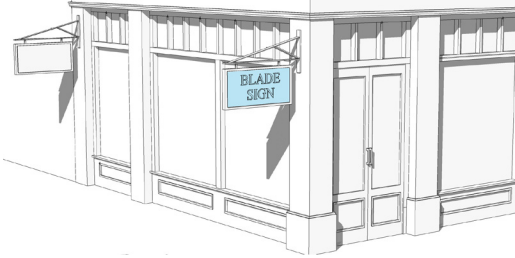
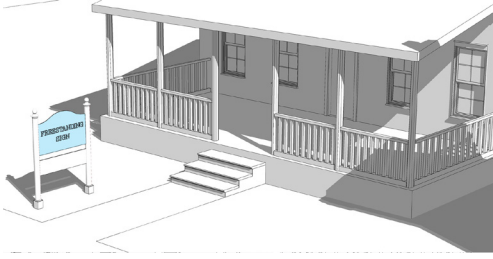


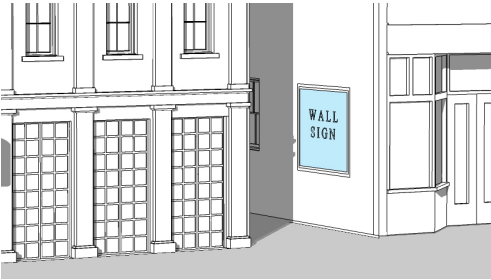

SPECIFIC SIGN TYPE	ILLUSTRATION	DISTRICTS	STANDARDS
AWNING & CANOPY SIGN: This Sign type is integrated within or part of an Awning or Canopy.		FD5 FD6	14.6.9-C
MARQUEE SIGN: This Sign type is a structural feature of a Building that provides shelter and Sign space.		FD5 FD6	14.6.10-D
BAND SIGN: This Sign type is integrated flat against the Façade of a Building		FD5 FD6	14.6.9-E
BLADE SIGN: This Sign type is mounted on the Building Facade, projecting at a 90-degree angle, more than ½ inch in thickness, made of metal or other material and either not illuminated or illuminated by some source other than neon tubing or internal lighting.		FD5 FD6	14.6.9-F
FREESTANDING SIGN: This Sign type is fully detached from a Building and have an external support Structure consisting of 1-2 posts.		FD5 FD6	14.6.9-G

TABLE 14.6.9-B - SIGN TYPES SUMMARY TABLE [NOT REGULATORY]

SPECIFIC SIGN TYPE	ILLUSTRATION	DISTRICTS	STANDARDS
MONUMENT SIGN: This Sign type is fully detached from a Building and is supported along the entire length of its base.		FD5 FD6	14.6.9-H
NAMEPLATE: This Sign type consists of either a panel or individual letters applied to a Building, listing the names of businesses or Building tenants		FD5 FD6	14.6.9-I
OUTDOOR DISPLAY CASE: This Sign type consists of a lockable metal or wood framed cabinet with a transparent window or windows, mounted onto a Building wall or free-standing support. It allows the contents, such as menus or maps, to be maintained and kept current.		FD5 FD6	14.6.9-J
WALL SIGN: This Sign type is attached to freestanding walls and is often used to mark a place of significance or the entrance to a location.		FD5 FD6	14.6.9-K
WINDOW SIGN: This Sign type is placed or painted on the interior of a Shopfront window or the window of a business door.		FD5 FD6	14.6.9-L

14.6.9-C AWNING & CANOPY SIGN



Diagram provided for illustrative purposes only

DESCRIPTION

This Sign type is integrated within or part of a first floor Awning or Canopy.

ALLOWED IN

FD5, FD6

SPECIFICATIONS

Area, Letter	75% of the Valance or Canopy face max and/or 25% of the sloping plane
Height, Letter	5" min; 10" max on Valance 18" max on sloping plane 24" max on or above Canopy

MISCELLANEOUS

Signage on a Canopy shall be limited to the face or may project above.

Signage on an Awning or Canopy shall be limited to the windows and doors on the first (ground) floor.

A Canopy Sign cannot extend outside the overall length or width of the canopy. However, a canopy sign may extend above or below the canopy provided a minimum of 8' clear height above any sidewalk and 14' clear height above any parking and/or circulation area is provided.

Awning Signs shall not be internally illuminated or backlit. Canopy Signs may be backlit.

Specific standards for Awnings and Canopies can be found in [Section 14.4.13 Urban Design Standards](#).



14.6.9-D MARQUEE SIGN

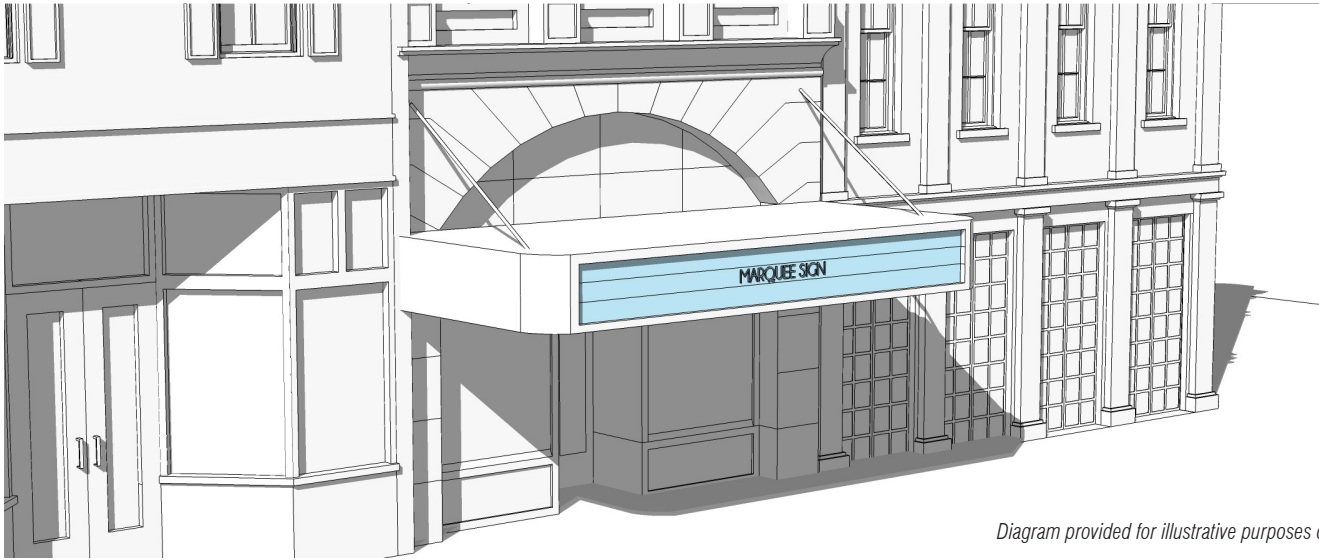


Diagram provided for illustrative purposes only

DESCRIPTION

This Sign type is a structural feature of a Building that provides shelter and Sign space.

ALLOWED IN

FD5, FD6

SPECIFICATIONS

Number of Marquee	1 per Frontage max
Width, Overall	Width of the Frontage Type
Height, Overall	The top of the Marquee shall be no more than the lesser of the floor level of third Story or 35'
Height, Clear (above finished sidewalk)	9'6" min.
Projection, Overall	6' min.; 10' max.
Distance from Curb	3' min.

MISCELLANEOUS

Marquee Signs shall be allowed only for Cinemas, Conference/ Convention Centers, Performing Arts Centers and Recreation Facility - Indoor.

Marquee Signs shall be located only above the Principal Entrance of a Building.

Marquee Signs shall be cantilevered or supported from above. Columns or Posts are prohibited.

Changeable message boards with removable physical lettering are permitted.



14.6.9-E BAND SIGN

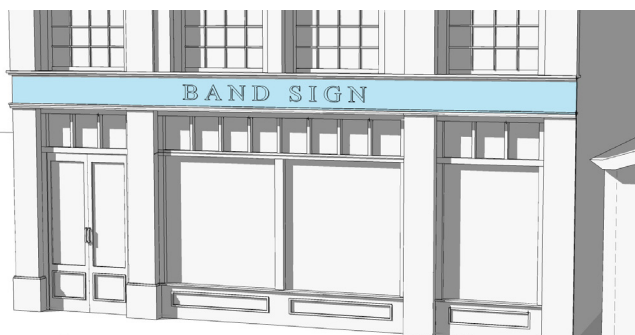


Diagram provided for illustrative purposes only.

DESCRIPTION

This Sign type is integrated within a Sign Band as part of a Shopfront or Officefront Private Frontage.

ALLOWED IN

FD5, FD6

SPECIFICATIONS

Quantity	1 per Shopfront/Officefront max.
Area, Sign	75% of the Sign Band max.
Width, Sign	Width of Shopfront/Officefront max.
Height, Sign Band	3' max.
Depth/Projection of lettering	7" max.
Letter Height	18" max.

MISCELLANEOUS

Band Signs shall only be associated with a Shopfront or Officefront Frontage Type

Where a Sign Band exists, the Band Sign shall be located within it.

Band Signs shall include only characters, background, lighting, and an optional logo.

Cut-out Letters shall be individually attached to the wall or on a separate background panel. Flat Panel letters shall be printed or etched on same surface as the background, which is then affixed to the wall.

Band Signs may be externally illuminated or backlit. Neon is permitted. Electrical raceways, conduits and wiring shall not be exposed. Internal lighting elements shall be contained completely within the Sign assembly or inside the wall.

14.6.9-F BLADE SIGN

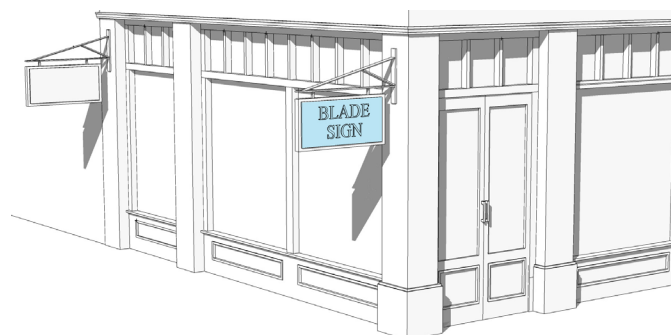


Diagram provided for illustrative purposes only.

DESCRIPTION

This Sign type is mounted on the Building Facade, projecting at a 90-degree angle.

ALLOWED IN

FD5, FD6

SPECIFICATIONS

Quantity	1 per Principal Entrance for a first floor tenant max.
Area, Sign	9 sf max.
Width, Sign (projection)	4' max.
Height, Sign	4' max.
Depth, Sign	6" max.
Offset from facade	6' min; 12' max
Height, Overall (above finished sidewalk)	18' max
Height, Clear (above finished sidewalk)	8' min.

MISCELLANEOUS

The bracket must be an integral part of the sign design.

Blade Signs may be double-sided or three-dimensional.

Blade Signs shall be permitted only for uses that have a Principal Entrance on the first Story.

The clear height of the Blade Sign shall be measured from the sidewalk grade to the lowest portion of the overhanging sign and/or bracket.

Blade Signs shall only be externally illuminated.

Blade Signs may encroach the public right-of-way as permitted by the Form District

14.6.9-G FREESTANDING SIGN

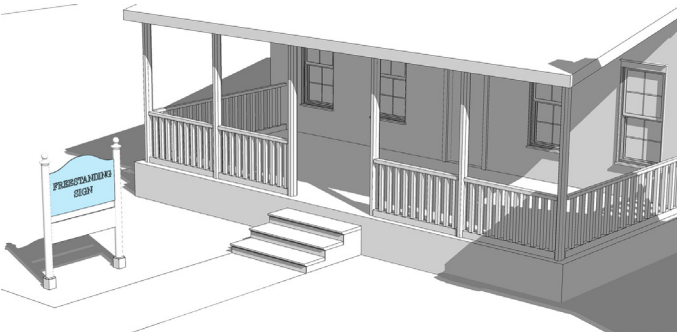


Diagram provided for illustrative purposes only.

DESCRIPTION	ALLOWED IN
This Sign type is fully detached from a Building and have an external support Structure consisting of 1-2 posts.	FD5, FD6

SPECIFICATIONS

Quantity	1 per Frontage max.
Area, Sign	25 sf max.
Width, Sign	8' max.
Height, Sign	8' max.
Height, Depth	1' max.
Height, Overall	14' max.

MISCELLANEOUS

- Freestanding Signs may be double-sided.
- Freestanding Signs may not be located in the public right-of-way.
- The height of the Freestanding Sign shall be measured from the finished grade to the top of the light standard or supporting standard, whichever is higher.
- Freestanding Signs may be internally or externally illuminated or backlit.
- Freestanding Signs for a Fuel Service Station may include static internal illuminated changeable copy for the display of gas prices.

14.6.9-H MONUMENT SIGN

Diagram provided for illustrative purposes only.

DESCRIPTION	ALLOWED IN
This Sign type is fully detached from a Building and is supported along the entire length of its base.	FD5, FD6

SPECIFICATIONS

Quantity	1 per Frontage max.
Area, Sign	60 sf max.
Depth, Sign	2' max.
Height, Overall	10' max.
Height, Base	2' min., 4' max

MISCELLANEOUS

- Monument Signs may be double-sided.
- Monument Signs may not be located in the public right-of-way.
- The height of the Monument Sign shall be measured from the finished grade to the top of the light standard or sign face, whichever is higher.
- Monument Signs may be internally or externally illuminated or backlit.
- Monument Signs for a Fuel Service Station may include static internal illuminated changeable copy for the display of gas prices.

14.6.9-I NAMEPLATE SIGN



Diagram provided for illustrative purposes only.

DESCRIPTION	ALLOWED IN
This Sign type consists of either a panel or individual letters applied to a Building, listing the names of businesses or Building tenants.	FD5, FD6

SPECIFICATIONS

Quantity	1 per address
Area	3 sf max.
Width	18” max.
Height	24” max.
Depth/Projection	3” max.

MISCELLANEOUS

- A nameplate shall only provide the name, address or logo of an owner, tenant, and/or the Building to which it is affixed.
- Nameplates shall consist of either a panel or individual characters applied to a Building wall within four (4) feet of an entrance to the Building.
- Nameplates may only be backlit.

14.6.9-J OUTDOOR DISPLAY CASE



Diagram provided for illustrative purposes only.

DESCRIPTION	ALLOWED IN
This Sign type consists of a lockable metal or wood framed cabinet with a transparent window or windows, mounted onto a Building wall. It allows the contents, such as menus or maps, to be maintained and kept current.	FD5, FD6

SPECIFICATIONS

Quantity	1 per first floor business; 4 max. for theaters per Frontage
Area	6 sf max.
Width	4' max.
Height	4' max.
Projection	3” max.

MISCELLANEOUS

- Outdoor display cases may only be illuminated from inside the display case.
- Outdoor display cases of theatres operating in the Building may be larger but shall not exceed 12 Square feet.
- Outdoor display cases shall only be attached to a wall.

14.6.9-K WALL SIGN

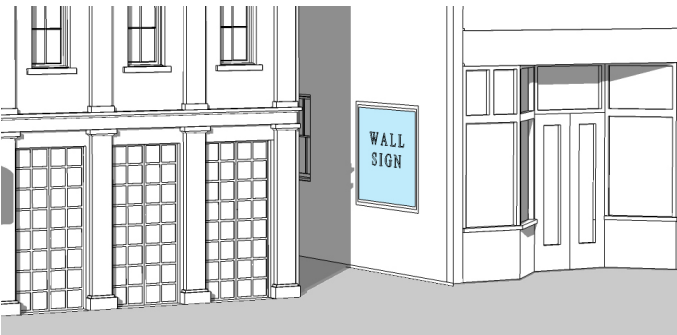


Diagram provided for illustrative purposes only.

DESCRIPTION	ALLOWED IN
This Sign type is attached, painted or otherwise mounted parallel to a Building Façade or terrace wall.	FD5, FD6

SPECIFICATIONS	
Area, Total	2 sf per linear foot of Frontage associated with the first floor business, not to exceed 200 sf max.
Height above ground	The top of the Sign shall be no higher than the lesser of the floor level of second Story or 25'.
Projection	12" max.

MISCELLANEOUS
No portion of a Wall Sign may extend above the roof line or above a parapet wall of a Building with a flat roof
A Wall Sign may not cover windows or other architectural details.
Wall Signs may be externally illuminated or backlit. Neon is permitted.

14.6.9-L WINDOW SIGN



Diagram provided for illustrative purposes only.

DESCRIPTION	ALLOWED IN
This Sign type is placed directly behind or affixed to a Shopfront or Officefront window or door.	FD5, FD6

SPECIFICATIONS	
Quantity	1 per first or second floor floor window and ground floor entry
Area	25% of individual pane max.
Letter Height	8" max.

MISCELLANEOUS
Characters and logos shall be placed directly on the window or hang no more than 12" behind the glass. Items placed more than 12" from the glass shall not be considered a Sign.
Window Signs shall not be illuminated however the use of neon is otherwise permitted.
Window Signs shall not interfere with the primary function of windows, which is to enable passersby and public safety personnel to see through windows into premises and view product displays.

14.6.11- SITE AND LANDSCAPE STANDARDS

- a) Purpose and Applicability. Landscaping shall be used to beautify the development site and to provide specific functions and benefits to the uses and buildings on the site. These include but are not limited to stormwater retention and erosion control, winter windbreaks and summer shade, recreational and habitat corridors, buffers and screening of parking areas, and creating privacy for and from adjacent property. The following shall be applicable to the composition of all Buildings in the Downtown and Waterfront District.
- b) Site Standards:
- i. All utility service connections shall be underground for new construction and is recommended for existing buildings undergoing substantial rehabilitation.
 - ii. The following items are prohibited in the First Lot Layer: electrical transformers, exhaust vents, HVAC and other mechanical equipment unless they are placed underground; utility or gas meters; solar collection devices and wind turbines; antennas, satellite dishes and other telecommunications equipment; solid waste containers, swimming pools, dog houses and runs, hot tubs and spas.
 - iii. Ground level electrical transformers, HVAC and other mechanical equipment; antennas, satellite dishes and other telecommunications equipment; and utility boxes and gas meters shall be designed so they do not Encroach on walkways or Parking Areas, and shall be screened from view from any Public Frontage. They shall not be obstructed by landscaping or hardscape such that meter readers and maintenance personnel are unable to open or Access utilities devices.
 - iv. Utility boxes and gas meters located Adjacent to Driveways, Parking Areas, Rear Lanes, Alleys or Rear Access Easements, shall require (2) 48" high, 6" x 6" bollards set in concrete to protect them from damage from vehicles.
 - v. All fences shall be installed so that the finished side faces outward.
- c) Landscape Standards:
- i. The installed landscape shall consist primarily of durable species tolerant of urban conditions, and pre-existing noxious or invasive plants species identified on the prohibited plant list shall be removed.
 - ii. The spacing and placement of all installed plants shall be adequate and appropriate for the typical size, shape and habit of the plant species at maturity.
 - iii. Bare and exposed ground on the site and/or in landscaped areas shall be covered with live plant materials and/or Mulch, with the exception of naturally occurring dunes, creek beds, rock outcroppings or similar landscape features typically lacking in vegetation; and clay or sand surfaces associated with recreation fields and facilities.
 - iv. Pervious paving materials are encouraged for any paved areas in order to increase storm water infiltration on site.
 - v. Constructed water features, such as fountains, streams and ponds that operate with water recirculation systems, shall be designed to prevent seepage and leaks.
 - vi. Plantings should be placed at or slightly below grade, and not be mounded up, in order to provide opportunities for storm water infiltration on site.
 - vii. Ground vegetation or Shrub plantings with spines, thorns or needles that may present hazards to pedestrians, bicyclists or vehicles are prohibited in the first two (2) feet of the First Lot Layer.
 - viii. Trees and Understory Trees proposed to be installed shall be centered horizontally, and at a minimum shall be located:
 - a. Two (2) feet from walkways, Curbing, and other impervious pavements when planted in a Tree well or continuous planter.
 - b. Three (3) feet from walkways, Curbing and other impervious pavements when planted in a continuous Swale.
 - c. Five (5) feet from underground utilities, utility meters and service lines, fences, walls and other ground level obstructions.
 - d. Six (6) feet from porch eaves, awnings and similar overhead obstructions associated with the ground level of Buildings.
 - e. Eight (8) feet from balconies, verandas, Building eaves and Cornices, and similar overhead obstructions associated with the upper stories of Buildings.
 - f. Fifteen (15) feet from streetlights poles not to impact the light spread of the fixture.
 - ix. At the time of installation, all:
 - a. Proposed Trees shall be a minimum height of ten (10) feet and/or three (3) inches in Caliper.
 - b. Proposed Understory Trees shall be a minimum of eight to ten (8-10) feet in height and/or three to three-and-one-half (3 - 3 1/2) inches in Caliper.

- c. Proposed Shrubs shall be a five (5) gallon container minimum for large Shrubs or two to three (2-3) gallon container minimum for smaller species and shall be planted with 18" minimum Clearance from any Sidewalk or pavement edge at the Lot Line.
- d. Where used, Tree grates should be quarter inch pedestrian Tree guard.
- e. Where planting space is limited, Structural Soil or silva cell type Structures shall be utilized in and Adjacent to planting wells and strips.

14.6.12 - STORMWATER MANAGEMENT

All new development and redevelopment projects that require a zoning permit shall be required to demonstrate compliance with the standards in Article 3, Stormwater & Erosion Control of Chapter 26 of the City Code of Ordinances: Wastewater, Stormwater, and Pollution Control. Additionally:

- a) Stormwater detention and retention ponds shall be:
 - i. integrated as landscape features, rather than single-purpose flood control and stormwater management ponds; and
 - ii. planted with appropriate Trees, Shrubs and grasses, with hydrophilic Plants in basin areas prone to submersion or boggy conditions.
- b) Cisterns may be used to capture and recirculate stormwater from Buildings.
- c) Where appropriate, Rain Gardens and Bioswales should be installed to infiltrate runoff from Parking Lots, Thoroughfares, Plazas and other Impervious Surfaces.
- d) Pervious paving materials are encouraged for any paved areas in order to increase storm water infiltration on site.
- e) Where vegetative solutions for natural drainage accommodation are not feasible, porous paving is encouraged for Sidewalks, Parking Lots, and Plazas to infiltrate stormwater.

14.6.13 - OUTDOOR LIGHTING

The regulations found in the *Burlington Comprehensive Development Ordinance* (BCDO), Article 5, Section 5.2.2 (Outdoor Lighting) shall apply in all Form Districts.

14.6.14 - TELECOMMUNICATIONS EQUIPMENT

To the extent not limited by state or federal law, the regulations found in the *Burlington Comprehensive Development Ordinance* (BCDO), Article 5, Section 5.4.7 (Wireless Telecommunications Facilities) shall apply in all Form Districts.

SECTION 14.7: ADMINISTRATION AND PROCEDURES

SUBSECTIONS:

- 14.7.1 Applying for a Zoning Permit: Submission Requirements and Review
- 14.7.2 Non-Conformities
- 14.7.3 Varying the Form: Administrative Variations
- 14.7.4 Appeals

14.7.1 – APPLYING FOR A ZONING PERMIT: SUBMISSION REQUIREMENTS AND REVIEW

- a) Improvements Authorized. Any and all subdivision of land, development and construction or modification of all Improvements, land, Buildings and Structures in the Downtown and Waterfront District not otherwise exempt under Sec. 3.1.2 (c) of the *Burlington Comprehensive Development Ordinance* shall occur only in accordance with the Downtown and Waterfront Regulating Plan and this Article 14-Burlington Form-Based Code as in effect on the date of acceptance of a completed application submitted for approval pursuant to this Section.
- b) Application Submission. Each application shall be submitted to the Department of Planning and Zoning along with an application for approval in a form to be provided by the Department. Upon its determination that an application are complete, the Department shall process each application in accordance with this Section.
- c) Application Requirements. An application shall be prepared by or on behalf of the Property Owner(s) in accordance with this Section and submitted to the Department for processing, review and approval. Each application shall include the following:
 - i. A demonstration of compliance with this Article 14-Burlington Form-Based Code and all standards applicable thereunder including but not limited to:
 - A. the Downtown and Waterfront District Regulating Plan and any applicable Special Requirements (Section 14.2 Regulating Plan);
 - B. the Form District, Special District or Civic Space(s) where the proposed Project is located (Section 14.3: Specific to Form Districts, Special Districts and Civic Spaces);
 - C. the Building Type(s) proposed as part of the Project (Section 14.4: Specific to Building Types);
 - D. the Frontage Type(s) proposed as part of the Project (Section 14.5: Specific to Frontage Types); and,
 - E. all applicable requirements of Section 14.6: Applicable to all Form Districts.
 - ii. a tabular comparison of each applicable standard and the corresponding standards for the proposed Project;
 - iii. one or more maps identifying the Project Site on the Downtown and Waterfront District Regulating Plan and showing for the Project Site as applicable the Form District, Special District or Civic Space and any applicable Special Requirements;
 - iv. one or more Project Plans of the Project Site drawn to a scale accurately indicating each applicable proposed element of the Project in compliance with the standards listed above, including without limitation:
 - A. Identifying information including the owner(s) of record, north arrow, date (including any revision dates) and scale (recommended at not smaller than 1 inch equals 40 feet);
 - B. The location of all property lines, rights-of-way or easements affecting the property, and Abutting streets;

- C. Where applicable a plan of all proposed property lines, rights-of-way or easements affecting the property satisfying the submission requirements for a Preliminary Plat pursuant to Sec. 10.1.8 Preliminary Plat Review of the *Burlington Comprehensive Development Ordinance*;
 - D. Existing natural features of the site including water courses and applicable buffers, wetlands and applicable buffers, contours at no more than 1-foot intervals, floodplains, Trees and other vegetation, etc;
 - E. A plan indicating the location, types and dimensions of all proposed grading, drainage, stormwater management and erosion control demonstrating compliance with the standards in Article 3, Stormwater & Erosion Control of Chapter 26 of the City Code of Ordinances: Wastewater, Stormwater, and Pollution Control;
 - F. The location and dimensions of all existing and proposed Buildings, Structures, Streetscreens, walkways, Driveways, and other Significant features; with dimensions and distances from the front, side and rear property lines to each proposed new Building, Structure and/or site Improvement;
 - G. Location of existing and proposed utilities and facilities (water, sewer, electric, telephone, fire hydrant, etc. including all ground and building mounted equipment);
 - H. The location, types and dimensions of all proposed Improvements within and Encroachments into the public right-of-way including without limitation building footings, Cornices, steps, terraces, walls, walkways, street Trees, street lights, vehicular Parking Lanes and travel lanes;
 - I. A parking and circulation plan indicating the location, layout, dimensions and design of all existing and proposed Driveways, Parking Areas, Parking Lots, Parking Structures. Plans for all Parking Areas, Parking Lots, Parking Structures shall also include the number, type, layout, dimensions and design of spaces;
 - J. A landscaping plan indicating all existing vegetation and proposed plant materials, landscape islands, landscaping of Parking Areas and Parking Lots, fencing, furniture, pavement and other landscape and hardscape elements including all screening of parking, dumpsters, and ground mounted mechanical/electrical equipment. Size, species and spacing shall be clearly indicated; and,
 - K. A lighting plan indicating the location, layout, dimensions and design of all existing and proposed ground and building mounted lighting subject to the requirements of Sec. 5.5.2 (d) of the BCDO.
- v. Photographs of the subject and neighboring properties.
 - vi. Color rendered Elevations (drawings to scale) of all Elevations of all proposed and/or modified buildings and any related buildings including building height and how measured. Building Elevations of each exterior wall and the façade shall indicate all architectural details, window and door openings with dimensions and trim details, and materials, siding (wood clapboard, brick, etc.), roof, trim, colors to be used and actual color samples for wall and roof materials; and,
 - vii. At least two architectural wall cross-sections (one front wall and one side wall), at a scale of 1 inch equals 1 foot, illustrating the relief (e.g. projections and Setbacks) of the Other Architectural Features shown in the building Elevations;
 - ix. A plan for Signs, including type, design and dimensions of all existing and proposed ground and/or building-mounted Signs and/or Sign bands.
- d) Modification of Submission Requirements. The Director may allow the modification of the application and submission requirements listed above, including reducing and/or combining existing and proposed information on the same site plan, provided that any modification enables adequate review of the application. The Director may also require the submission of additional information when deemed necessary to make a decision on the request. Such additional information may include but is not limited to the following:
- i. A massing model or computer simulation, prepared to scale, illustrating the proposed Structure(s) within its context of the terrain and surrounding buildings;
 - ii. Evidence and documentation of existing or suspected environmental contamination including but not limited to environmental assessments, corrective action plans, and deed restrictions;

- iii. Materials specifications;
 - iv. Floor plans;
 - v. Shadow impact diagrams based on the spring or fall equinox; and/or
 - vi. Phasing schedule.
- e) Application Review.
- i. An application that conforms to the Downtown and Waterfront District Regulating Plan, and all standards applicable to such application pursuant to this Article 14-Burlington Form-Based Code, and without the necessity of any additional approval by the Development Review Board as indicated below, shall be entitled to administrative approval By Right by the Department.
 - ii. Applications subject to any of the following shall require review and approval by the Development Review Board and shall be considered in accordance with the following as applicable:
 - Conditional Use Review or Major Impact Review pursuant to Sec. 3.5.2 of the BCDO;
 - Review under Special Use Regulations pursuant to [Section 14.6.7](#);
 - Civic Buildings and Civic Spaces pursuant to [Section 14.3.6](#);
 - Subdivision Review pursuant to Article 10 of the BCDO;
 - Inclusionary and Replacement Housing pursuant to Article 9 of the BCDO;
 - Request for Discretionary Building Height pursuant to [Sec. 14.6.5 d](#));
 - Request for DRB Relief pursuant to [Sec. 14.7.3](#);
 - Request for a Variance pursuant to Article 12, Part 1 of the BCDO; and,
 - any other section of the BCDO that requires DRB review and approval.

The Development Review Board review shall be limited to making findings under the required review criteria for the required approval. All other elements of the application shall be entitled to administrative approval By Right by the Department.

14.7.2 - NON-CONFORMITIES

In addition to that as specified in Article 5, Part 3 Non-Conformities of the *Burlington Comprehensive Development Ordinance*, any non-conformity which lawfully existed at the time of adoption of the applicable provisions of this or any Article or any amendment thereto may be continued subject to the following provisions:

- a) Any Building, Structure, Frontage, Development, Sign, Improvement or other appurtenance thereto which legally existed on the effective date of this Article that does not conform to the requirements of this Article may continue until a Substantial Modification to the exterior is requested or Abandonment occurs. At such time, the affected portion(s) of the Building, Structure, Frontage, Development, Sign, Improvement or other appurtenance thereto shall be required to comply with all applicable provisions of this Article.
- b) Any modification other than a Substantial Modification to the exterior of an existing Building, Structure, Frontage, Development, Sign, Improvement or other appurtenance thereto shall be permitted By Right only if such changes result in greater conformance with the specifications of this Article.
- c) Any change or modification shall not create any new nonconformity.
- d) Buildings listed or eligible for listing on the State or National Register of Historic Places shall not be required to make any modifications under a) and b) above that would threaten their historic integrity.

14.7.3 - VARIATION FROM THE FORM: ADMINISTRATIVE RELIEF, DRB RELIEF, AND VARIANCES

The Form-Based Code is intended to result in By-Right approval where development occurs strictly in conformance with the requirements of the applicable Form District. In some instances, however, it may be necessary to vary the prescribed form in order to accommodate unique site and/or building circumstances in order to promote context-sensitive development. In such instances, an applicant may seek Administrative or Development Review Board approval for relief from the requirements as set forth below. Any and all relief from the prescribed standards shall run with the land and be binding on the Property Owner and its/their successor and assigns. Applications requesting relief shall be made in writing and in the form as determined by the Department.

- a) Administrative Relief. Table 14.7.3-A Administrative Relief below sets forth relief from the prescribed standards that may be granted by the Director. No other relief from the prescribed standards shall be permitted except as approved by the Development Review Board below.
 - i. Any request for Administrative Relief shall be made in writing and shall extend the requirements of 24 VSA 4448(d) regarding Administrative decisions for an additional 30 days in order to provide for opportunities for public notice and comment pursuant to Departmental procedures.
 - ii. Decisions by the Director regarding any Relief granted shall be made in writing and upon affirmative findings that:
 - A. The relief granted is the minimum necessary to achieve the desired result;
 - B. Granting the relief will yield a result equal to or better than in strict compliance with the standard;
 - C. The property will otherwise be developed consistent the purpose of this ordinance, the intent of the Form District, the intent and purpose of the section that the relief is being sought, and all other applicable standards; and,
 - D. Any additional findings as may be required by Table 14.7.3-A Administrative Relief below.

TABLE 14.7.3-A - ADMINISTRATIVE RELIEF

TYPE OF RELIEF	LIMITS OF RELIEF GRANTED	REQUIRED FINDINGS	STANDARDS REFERENCE
BUILDING SETBACKS: A building Setback may vary from the maximum or minimum Front and Side Setback requirements.	Maximum relief of 20% from the required maximum or minimum	The variation is necessary to allow the proposed Building to blend with existing and/or Adjacent buildings along the Primary street Frontage.	Section 14.3: Specific to Form Districts and Civic Spaces
BUILDING HEIGHT: The maximum Building height may be increased.	Maximum relief of an additional 10% of the numerical maximum height, with no additional stories allowed	Granting the relief is necessary to accommodate grade changes on a sloping lot, and/or to enable compliance with the Principal Entrance Level requirements and the required ground level floor-to-ceiling height.	Section 14.3: Specific to Form Districts and Civic Spaces; Section 14.5: Specific to Frontage Types; and Section 14.6.5 Building Height
DEPTH OF RECESSED ENTRIES: Allows for a deeper entry recess.	Maximum entry recess of 8'	A deeper entry is necessary for improved visitability.	Section 14.5: Specific to Frontage Types
FRONTAGE BUILDOUT: A reduction in the amount of the Principal Frontage that is occupied by a Building or a Streetscreen.	Maximum of 10% from the required Frontage Buildout	The relief is necessary to enable Access to the rear of the Lot because of constraints due to existing Lot Width and/or Buildings.	Section 14.3: Specific to Form Districts and Civic Spaces;
FRONTAGE BUILDOUT & SETBACK: A reduction in the amount of the Principal Frontage that is occupied by a Building or a Streetscreen.	Minimum necessary to satisfy the requirements of the Building and Fire Safety Codes.	An adjacent pre-existing Building has doors and/or windows on a side elevation and a greater setback is required. The relief is necessary to satisfy the requirements of the Building and Fire Safety Codes.	Section 14.3: Specific to Form Districts and Civic Spaces
FRONTAGE: A reduction in the minimum elevation of the finished level above the sidewalk	Maximum relief of 6"	The relief is necessary for improved visitability.	Section 14.5: Specific to Frontage Types

TABLE 14.7.3-A - ADMINISTRATIVE RELIEF

TYPE OF RELIEF	LIMITS OF RELIEF GRANTED	REQUIRED FINDINGS	STANDARDS REFERENCE
GLAZING: A reduction in the amount of required minimum glazing on Primary and Secondary Facades	Maximum of 10% from the required Glazing	The relief is necessary to meet the requirements of a High Performance Building Energy Code or program.	Section 14.4: Specific to Building Types, Table 14.4.15-A Street Activation and Section 14.5: Specific to Frontage Types
GLAZING: A reduction in the maximum linear distance between window openings	Maximum of 10% of the required linear distance between windows	The relief is necessary for the creation of stronger distinctions between individual Frontage Types and/or at Building corners.	Section 14.4: Specific to Building Types, Table 14.4.13-A Street Activation
GROUND FLOOR FLOOR-TO-FLOOR HEIGHT: The minimum floor-to-floor height may be reduced.	Maximum relief of 12"	The relief is necessary to better align floors with a pre-existing adjacent Building.	Section 14.4: Specific to Building Types, Sec.14.4.9-C, Sec. 14.4.11-C and Sec. 14.4.12-C
PARKING AREA LOCATION: Parking Areas may be located in the Second Lot Layer.	The lesser of 25% or 20-feet of a Frontage may be occupied by parking.	Parking shall be screened from view along the Frontage.	Section 14.3: Specific to Form Districts and Civic Spaces
PARKING SPACE DIMENSIONS: Parking space(s) size may be reduced by increasing the proportion of Compact Cars.	Up to 30% of the total parking spaces may be designed and designated for compact cars.	The relief is necessary due to constraints created by existing Lot and/or Building dimensions and to better meet the on-site parking demands.	Section 14.6.7: Parking, Loading, Service and Drive-ways
PORCH DIMENSIONS: The width and depth of a Porch may vary from the maximum or minimum requirements.	Maximum relief of 10% from the required maximum or minimum width and/ or depth provided a 5' minimum depth and 36 sqft minimum total floor area is maintained.	The relief is necessary due to constraints created by existing Lot and/or Building dimensions.	Section 14.5: Specific to Frontage Types

- b) Relief Granted by the Development Review Board. The following relief from the prescribed standards may be granted by the Development Review Board:
- i. DRB Relief: Relief from any non-numerical standard and any numerical standard by no more than 20% of such requirement or an additional 10% beyond any Administrative Relief that may be granted, may be granted by the Development Review Board after review and recommendation by the Design Advisory Board and a Public Hearing. In granting such relief, the DRB shall make affirmative findings that:
 - A. the relief sought is necessary in order to accommodate unique site and/or Building circumstances or opportunities;
 - B. the relief if granted is the minimum necessary to achieve the desired result;
 - C. the property will otherwise be developed consistent the purpose of this ordinance, the intent of the Form District, the intent and purpose of the section that the relief is being sought, and all other applicable standards;
 - D. the relief if granted will not impose an undue adverse burden on existing or future development of adjacent properties; and,
 - E. the relief if granted will yield a result equal to or better than strict compliance with the standard being relieved.
 - ii. Relief for Brownfield Remediation: Subject to the requirements set forth below, the DRB may waive or modify any relevant dimensional and use standards of the applicable Form District and other limitations imposed by this Chapter based on a demonstrated nexus with specific development limitations imposed by an approved corrective action plan, record of decision, or deed restriction limiting potential reuse and redevelopment or an eligible property.
 - A. Applicability: The provisions of this Section shall only be available to the following types of properties:
 1. Properties eligible to participate in the Redevelopment of Contaminated Properties Program (RCPP) within the Agency of Natural Resources, Department of Environmental Conservation created pursuant to 10 VSA §6615a or are otherwise impacted by a VT DEC

approved Corrective Action Plan (CAP) for such a property;

2. Property listed on the national priorities list of superfund sites established under the federal Comprehensive Environmental Response Compensation and Liability Act ("CERCLA") or otherwise impacted by a US EPA approved Record of Decision (ROD) for such a property; and/or,
3. Properties which have a hazardous waste certificate under 10 VSA §6606 and which are undergoing corrective action under the federal Resource, Conservation and Recovery Act ("RCRA") pursuant to the Vermont Hazardous Waste Management Regulations (VHWMR) §7-105(b) or are otherwise impacted by a VT DEC approved Corrective Action Plan (CAP) for such a property.

B. Additional Application Requirements: In addition to the submission requirements listed in [Sec. 14.7.1.](#), the following information as applicable specifying any and all use and development limitations of the site shall also be provided at the time of application:

1. A VT DEC Approved Corrective Action Plan (CAP) pursuant to 10 VSA §6615a (h);
2. A Record of Decision (ROD) issued by the US EPA;
3. A VT DEC Approved Corrective Action Plan (CAP) pursuant to VHWMR) §7-105(b); and/or,
4. Any Warranty Deed specifying any and all use and development limitations of the site.

C. Review Standards: Any and all variations from the prescribed form for Project Plans involving an eligible Brownfield Remediation shall only be authorized by the DRB upon an affirmative finding that:

1. Any waiver or modification so granted is based on a demonstrated nexus with the development limitations imposed by an approved corrective action plan, record of decision, or deed restriction limiting potential use and redevelopment;
2. Any waiver or modification so granted is the minimum necessary to grant relief from the specific limitations imposed by an approved corrective action plan, record of decision, or deed restriction that would prevent the site from being redeveloped in strict conformance with the underlying requirements of the ordinance; and,
3. The redevelopment of the effected site as proposed satisfies the goals of the municipal development plan, furthers the intent of the Form District in which it is located, and addresses the form-based standards of this article more effectively than redevelopment in strict conformance with the underlying standards of this ordinance.

c) Variances: Any other deviation from the prescribed standards of this Article other than pursuant to the above shall require the Owner to request and obtain a Variance, which may be granted by the Development Review Board in accordance with Article 12, Part 1 Variances of the *Burlington Comprehensive Development Ordinance*.

14.7.4 APPEALS

Any decision or action made under this Article may be appealed as provided under the provisions of Article 12, Part 2 Appeals of the *Burlington Comprehensive Development Ordinance*.

SECTION 14.8: GLOSSARY

This Section provides definitions for certain terms in this Article 14. The following terms, as used in this Article 14, shall have the following meanings:

—A

Abutting or Adjacent: having any distance of real property boundary in common with, or being separated from such a common real property boundary by a right-of-way, Alley or Easement.

Access: way or means of approach to provide vehicular or pedestrian entrance to, and/or exit from, a Building or a Lot or other parcel of real property.

Accessory Building: A building that: (1) is located on the same Lot as the Principal Use or building served; (2) is clearly incidental to and customarily found in connection with the Principal Use or building; and (3) is subordinate in area, extent, or purpose to the Principal Building served.

Accessory Use: a use of a Building, Outbuilding, Structure or Lot allowed pursuant to Section 14.3 and which is subordinate and incidental to and customarily found in association with a Principal Use located within the same Lot. Not synonymous with Accessory Dwelling Unit.

Accessory Dwelling Unit: an efficiency or one-bedroom apartment that is clearly subordinate to a single-family Dwelling, and has facilities and provisions for independent living, including sleeping, food preparation, and sanitation, provided the unit does not exceed 30 percent of the total habitable floor area of the single-family Dwelling.

Alley: a secondary means of vehicular Access to the rear or side of properties otherwise Abutting a street; an Alley may connect to a vehicular Driveway located to the rear of Lots providing Access to Outbuildings, service areas and parking, and containing utility Easements.

Architectural Features: accessory and decorative elements of a building exterior, including but not limited to: cornices, eaves, brackets and other roofline embellishments; lintles, sills, keystones, arches and other door and window embellishments; minor wall projections, etc.

Attic: the interior space between the ceiling joists and roof rafters of a pitched roof Structure. An Attic may be finished into habitable space.

—B

Backbuilding: a single-Story Structure connecting a Principal Building to an Outbuilding.

Basement: the part of a building that is fully or partly below ground level. Where more than 50% of volume is below the finished surface of the ground,

Bed and Breakfast: an owner-occupied Lodging type offering 1 to 5 bedrooms, permitted to serve breakfast in the mornings to guests.

Bicycle Locker: an enclosed and secured locker that provides bicycle parking for long term use.

Bicycle Shelter: a roofed shelter that provides multiple bicycle racks for public use.

Bicycle Station: a Building that provides self-service, attended indoor valet, or automated bicycle parking services, often accompanied by showers, lockers, bicycle repair and rental facilities.

Bioswale: an extended Rain Garden that sometimes runs the length of the Block.

Block: the aggregate of private Lots, Passages, Rear Alleys and Rear Lanes, circumscribed by Thoroughfares.

Block Face: the aggregate of all the Building Facades on one side of a Block.

Brownfield: Abandoned, idled, or under-used industrial and commercial facilities where expansion or redevelopment is complicated by real or perceived environmental contamination.

Building: not synonymous with Structure; man-made construction completely enclosed by a roof, window, doors and solid exterior walls, and designed, built, or occupied as a shelter of enclosure for persons, animals, or property.

Building Envelope: collectively, all components of a Building that enclose conditioned or unconditioned above-ground space, including foundation, roof, walls, doors and windows.

By Right Development: Development which complies with all applicable requirements of the *Burlington Form Based Code*.

—C

Caliper: measurement of the diameter of a Tree trunk for Trees less than twelve (12) inches in diameter. For Trees twelve (12) inches or more, see Diameter at Breast Height. For Trees less than four (4) inches in diameter, it is measured six (6) inches from the ground. For Trees between four (4) inches and twelve (12) inches in diameter, it is measured twelve (12) inches from the ground.

Channel Letters: removable letters that fit into channels on a Sign or Marquee Sign.

Civic: the term defining public or quasi-public activities dedicated to arts, culture, education, recreation, government, places of workshop, public assembly, and public transportation.

Civic Space: an outdoor area dedicated for public use. Civic Space types are defined by the combination of certain physical constants including the relationships among their intended use, their size, their landscaping and their Enfronting Buildings.

Clear Sight Triangle: an area formed to provide safe sight distances for pedestrians, bicycles and vehicles at street intersections and Driveways.

Clearance or Height, Clear: the height above the walkway, or other surface if specified, from the bottom edge of an element.

Column: a vertical construction element, having an actual or apparent purpose of carrying weight of a structural element above (such as an entablature or lintel) to another structural element below; consisting of a base, a shaft and a capital.

Commercial Vehicle: a vehicle the Tare Weight of which exceeds 5 tons (10,000 lbs), or a vehicle having more than two axles, or vehicle greater than 8' in height. Construction equipment and farming equipment of any type is included in this definition.

Community House: A Community House is a residential Dwelling Unit where individuals are not handicapped as per the Federal Fair Housing Act but where, due to the particular needs of the resident individuals, a joint living arrangement is necessitated and where the individuals are under sponsorship or care of a public, nonprofit, or for profit agency where the sponsor or caretaker provides, or arranges for, the provision of varying degrees of personal supervision and/or care in a residential environment, such as a halfway house, a personal care residence, a community transitional facility, or any other such facility that provides such services.

The following are not considered Community Houses: group homes, fraternities, sororities, dormitories, convents, communes, apartments, boarding and rooming houses, tourist homes, and hotels and motels. See Sec. 14.6.7 (d) for specific provisions.

Complete Streets are streets for everyone. They are designed and operated to enable safe access for all users, including pedestrians, bicyclists, motorists and transit riders of all ages and abilities.

Cornice: a crowning projecting molded horizontal top of a building or some part of a building, such as a wall (a wall-Cornice); a trimmed eave on the gable end of a gable-roofed Building creates a Cornice, consisting of two raking (or sloping) Cornices with connected horizontal Cornice.

Curb: the edge of the vehicular pavement that may be raised or flush to a Swale. It usually incorporates the drainage system.

D

Depth, Ground-Floor Space: The distance from the street-facing Facade to the rear interior wall of the ground-floor space available for an allowed use.

Diameter at Breast Height (DBH): diameter in inches of a Tree trunk, measured four and one-half feet (4 ½) above existing grade or, in the event of multiple trunks, the accumulated total of diameters measured.

Disposition: the placement of a Building on a Lot.

Drive Aisle: that part of a Parking Lot accommodating the movement and circulation of vehicles between points of Access and the parking spaces.

Driveway: a lane to accommodate vehicles within a Lot, often leading to a Garage.

Dwelling or Dwelling Unit: A room or set of rooms fitted with a private bath, kitchen, and living facilities comprising an independent, self-contained Dwelling space occupied by a family and where rooms are not let to individuals. Kitchen, living and shared bathroom facilities must be separate and distinct from bedroom facilities. Each bedroom must contain a minimum Square footage consistent with the current mini-mum housing standards. Separate bathroom facilities will be deemed to exist only when it is possible to Access such bath-room facilities without passing through a room which is designated as a bedroom. If there is more than one meter for any utility, address to the property, or kitchen; or if there are separate entrances to rooms which could be used as separate Dwelling Units; or if there is a lockable, physical separation between rooms in the Dwelling Unit such that a room or rooms on each side of the separation could be used as a Dwelling Unit, multiple Dwelling Units are presumed to exist; but this presumption may be rebutted by evidence that the residents of the Dwelling share utilities and keys to all entrances to the property and that they (A) share a single common bathroom as the primary bathroom or (B) share a single common kitchen as the primary kitchen.

E

Elevation: an exterior wall of a Building not along a Frontage Line. See Facade.

Encroach: to break the plane of a vertical or horizontal regulatory limit with a structural element, so that it extends into a Setback, into the Public Frontage, or above a height limit.

Expression Line: a line prescribed at a certain level of a Building for the major part of the width of a Facade, expressed by a variation in material or by a limited projection such as a molding or balcony. (Syn: transition line.)

F

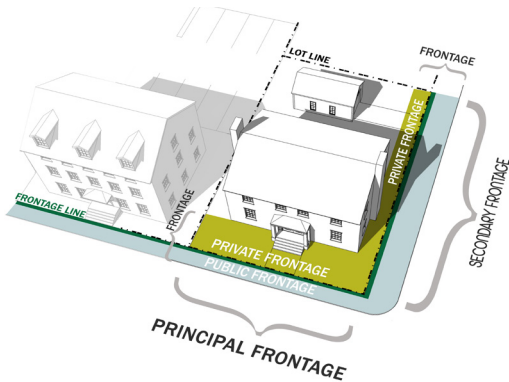
Facade: the exterior wall or walls of a Building that face a Frontage Line. See Elevation.

First Lot Layer: that portion of a Lot between the Frontage Line and the Façade of the Principal Building situated on or to be situated on the Lot.

Foot-candle: a unit of illumination equal to the light flux falling on one Square foot of area one foot away from the light source of one candlepower.

Form District: one of several geographic areas indicated on the Downtown and Waterfront District Regulating Plan within which uniform zoning and land regulations apply. See Table 14.3-A The Burlington Form Districts Summary Table.

Frontage: the area between a Facade and a Thoroughfare, lakeshore or Civic Space, inclusive of its built and planted components. Frontage is divided into Private Frontage and Public Frontage separated by a Frontage Line.



Frontage Buildout: the required percentage of a Building Façade or Streetscreen located within the maximum and minimum Setback, excluding vehicular entrances and Driveways. The required Frontage Buildout may be satisfied by one or more of the following: a Building Façade; a Streetscreen occupying no more than the lesser of 20 feet or 20% of the Frontage; or, a Civic Space.

Frontage Line: a Lot Line separating a Public Frontage from a Private Frontage.

Frontage, Private: the Layer between the Frontage Line and the Principal Building Façade.

Frontage, Public: the area between the Curb of the vehicular lanes and the Frontage Line. Elements of the Public Frontage include the Curb, Sidewalk, planter, street Tree, streetlight, street furniture, etc. .

G

Garage: an enclosed area integral to a Principal Building or an Outbuilding that provides as an Accessory Use space for parking or storage of vehicles incidental to the Principal Use of the Lot or Principal Building on the Lot. Not synonymous with Parking Structure.

Green: a Civic Space type for unstructured recreation, spatially defined by landscaping rather than Building Frontages.

Green Roof: a Building roof partially or completely covered with vegetation and soil, or a growing medium, over a waterproofing membrane.

Green Wall: a wall partially or completely covered with vegetation that includes a growing medium, such as soil. Most green walls also feature an integrated water delivery system. Green walls are also known as living walls or vertical gardens.

H

Habitable Space: Areas designed and used for living, sleeping, eating, cooking, or working or combinations thereof. Bathrooms, toilet compartments, closets, halls, storage rooms, laundry and utility spaces, basement recreation rooms, and similar areas are not considered Habitable Space.

Historic Inn: A building which has the Principal Use of housing overnight guests, subject to the criteria of Sec. 14.6.7 (b), that is listed or eligible for listing on the State or National Register of Historic Places.

Home Occupation: An Accessory Use of a Dwelling Unit for employment involving the provision of services or the fabrication of goods. Home Occupations are subject to all the procedures, conditions, and standards of Sec. 14.6.7 (f).

Impervious Surface: any surface that substantially reduces or prevents the infiltration of stormwater, including but not limited to Buildings, roofs, concrete, asphalt, and other paved surfaces that do not use porous materials.

Improvement: planning for, carrying out or the resulting man-made change in the characteristics of land, including but not limited to construction of Buildings, Structures and Infrastructures, subdivision of land, and filling, grading and excavation of land.

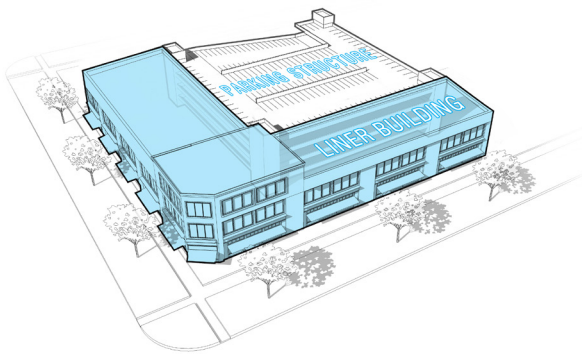
Infrastructure: any physical system, facility, or capital Improvement, that provides or facilitates services or Utilities for Improvements, regardless of whether publicly or privately owned, operated, or maintained, such as transportation, potable water, sanitary sewer, storm water management, and waste disposal, and other Improvements or facilities as generally described above that may not be specifically enumerated in this definition.

Initial Lumens: a measure of how much light a Lamp is emitting near the beginning of its life.

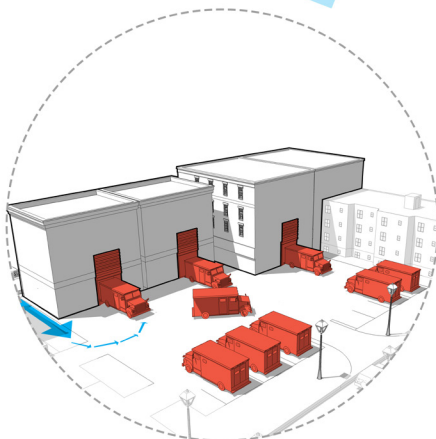
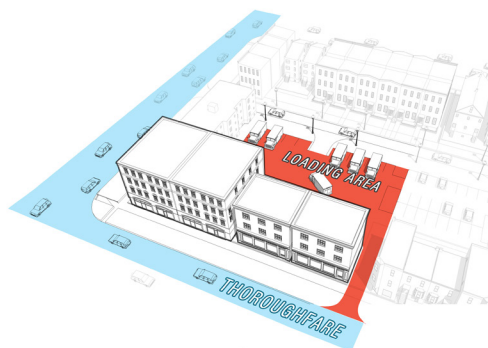
Lamp: The light-producing source installed in the socket portion of the luminaire.

Landscape Area: The portion of a Lot that is not defined as "Lot Coverage" including grass, ground covers, gardens, Shrubs, Trees, and natural areas. Landscaped Area shall not include parking, drives, patios, walkways, or other impervious areas.

Liner Building: a Building specifically designed to mask a Parking Lot or a Parking Structure from a Frontage. (syn. Perimeter Building).



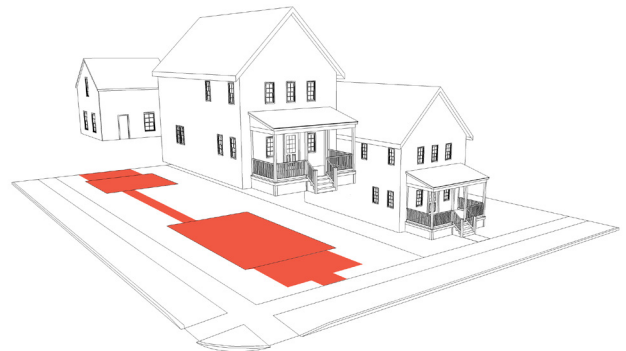
Loading Area: A parking space or berth, directly serving a building for the loading or unloading of merchandise or material, and which has Access to a street, Alley or other appropriate means of ingress and egress.



Lot: A parcel of land distinguishable from other parcels by deed, as recorded in the City of Burlington Land Records on a subdivision plat, record, or survey map, or as described by metes and bounds, and intended for transfer of ownership or for building development. For purposes of this Article, the term does not include any portion of a public right-of-way.

Lot Area: the area within the boundaries of a Lot.

Lot Coverage: The total at grade area or footprint of all Buildings, Structures and Impervious Surfaces including but not limited to Parking Areas, walkways drives, etc.; expressed as a percent of the total Lot Area.



Lot Layer: a range of depth of a Lot within which certain elements are permitted. See Sec. 14.6.3(c).

Lot Line: the boundary that legally and geometrically demarcates a Lot.

Lot Width: the length of the Frontage Line of a Lot, or of the Principal Frontage Line of a corner Lot.

M

Mixed Use: multiple Functions or Uses within the same Building or on the same Lot through superimposition or adjacency, or in multiple Buildings by adjacency.

Mulch: a protective covering consisting of organic materials customarily used in landscaping and placed around plants to retain soil moisture, retard erosion, shield roots from freezing, and inhibit weed growth.

N

Native Species: a plant occurring within local jurisdictional boundaries prior to foreign contact, according to the best scientific and historical documentation. This includes species that are considered indigenous, occurring in natural associations with habitats that existed prior to Significant anthropogenic impacts and alteration to the landscape.

Neon Lighting: Low intensity gas filled tube lighting which, when subject to high voltage, becomes luminescent in colors characteristic of the particular gas used.

Nonconformity: A Building, Structure, Lot or use that does not conform to the present Comprehensive Development Ordinance but was in conformance with all applicable laws, ordinances, and regulations at the time at which it was established. See Sec. 14.7.2.

O

Open Space: land intended to remain undeveloped; it may be for Civic Space.

Outbuilding: an Accessory Building, usually located toward the rear of the same Lot as a Principal Building, and sometimes connected to the Principal Building by a Backbuilding.

P

Parking Area: an off-street, ground-level open area within a Lot for parking vehicles as an Accessory Use incidental to a Principal Use of the Lot. Not synonymous with Parking Lot.

Parking Lot: an off-street, ground level, open area within a Lot for parking vehicles as a commercial or Civic Principal Use. Not synonymous with Parking Area.

Parking Structure: a Structure that provides space for parking vehicles as a commercial or Civic Principal Use. Not synonymous with Garage.

Pervious Area: The area of a lot covered by surfaces or materials that allow for the movement or passage of water into soils below. Pervious areas include, but are not limited to, areas of a lot covered by soil/mulch, vegetative matter, permeable pavers/pavement, bio-retention areas, or other materials that allow for the infiltration of at least the first inch (1") of rainfall. For the purposes of this definition, green roofs that capture and attenuate at least the first inch (1") of rainfall are also considered pervious area.

Plaza: a Civic Space type designed for Civic Principal Function and/or Commercial Principal Function in the more urban Form Districts, generally paved and spatially defined by Building Frontages.

Post: a relatively small strong piece of timber, metal, or the like set vertically as an actual or apparent support or firm point of attachment.

Principal Building: the main Building on a Lot, usually located toward the Frontage, in which there is conducted any one or more of the Principal Use of such Lot.

Principal Entrance: the main point of Access for pedestrians into a Building.

Principal Frontage: the Private Frontage designated to bear the address and Principal Entrance to the Building, and the measure of Lot Width on non-corner Lots, the Private Frontage.

Principal Use: a main or the Principal Use accommodated by a Building or a Lot. The dominant use or uses to which the premises is devoted and the primary purpose for which the premises exists.

Private Frontage: the privately held Lot Layer between the Frontage Line and the Principal Building façade; the First Lot Layer.

Property Owner: Any person, firm, partnership, association, joint venture, corporation or other entity or combination of entities who alone, jointly or severally with others hold(s) legal or equitable title to any real property. Synonymous with "Owner."

Public Frontage: the area between the Curb of the Vehicular Lanes and the Frontage Line.

R

Rain Garden: sunken garden that utilizes plants and may include Trees and may provide for the retention and/or absorption of stormwater.

S

Secondary Frontage: on corner Lots, the Private Frontage that is not the Principal Frontage.

Setback: The open, unobstructed area required to be provided between the furthestmost projection of a Building or Structure and an Adjacent property line or Form District Boundary.

Shared Parking Factor: a divisor to be applied to the Required Actual Parking for two Principal Functions within a pair of Adjacent Blocks to determine Required Effective Parking for such Lot; or a multiplier to be applied to the Actual Parking for a Lot to determine the Effective Parking for such Lot; in each case, as determined in accordance with Table 14.6.8-B.

Shrub: a multi-trunked, woody plant that usually attains a mature height of no more than fifteen feet (15') and has foliage flush from its height to the ground.

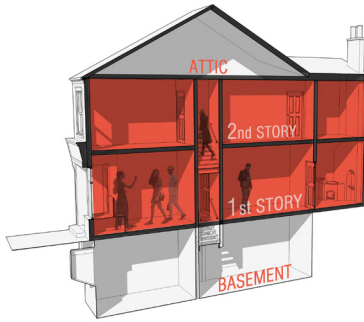
Sidewalk: the paved portion of the Public Frontage dedicated exclusively to pedestrian activity.

Sign: an identification, description, illustration, device or representation for visual communication by characters, letters, symbols, illustrations, graphics or ornamentation, which is affixed to, painted or placed upon, on or otherwise applied to or represented directly or indirectly upon a Building, Structure, or land, and which is used for the purpose of bringing attention to a product, place, activity, person, institution, business or other subject thereof.

Sign Area: the total area of the smallest Square, rectangle, triangle, circle, or combination thereof, which encompasses the space of a Sign used for advertising purposes, including the spaces between open-type letters and figures, including the background Structure, any border and trim or other decoration or addition which is an integral part of the Sign; provided that there shall be excluded from any calculation of Sign Area any Sign base, apron, supports, and other structural members and the area of one side of a Blade Sign.

Square: a Civic Space type designed for unstructured recreation and Civic purposes, spatially defined by Building Frontages and consisting of paths, lawns and Trees, formally disposed.

Story: a habitable level within a Building, excluding those elements described in Sec. 14.6.5.



Streetscreen: a freestanding hedge, fence or wall of between 3.5 and 8 feet in height built (a) along the Frontage Line or (b) on the same plane as the Façade of the Building to Screen a Parking Lot, Parking Area or Loading Area, provide privacy to a side yard or rear yard, and/or strengthen the spatial definition of the public realm. Streetscreens may have openings no larger than necessary to allow automobile and pedestrian Access and may be no longer than 20-ft or 20% of the Frontage whichever is less.

Structural Soil: a load-bearing soil that resists compaction to allow for healthier Tree root growth. Angular gravel within the soil mix allows air and water to permeate while supporting pavement loads.

Structure: any vertical man-made Improvement that is not intended for habitation, including without limitation a park shed, bicycle storage facility, transit stop, ticket booth, Utility facilities, and boathouses. Not synonymous with Building or Outbuilding.

Substantial Modification: Any demolition, deconstruction, relocation, rehabilitation or redevelopment of an existing Building, Structure, Frontage, Development, Sign, Improvement or other appurtenance thereto that affects or exceeds fifty percent (50%) of the area, square footage or pre-development assessed value of the Structure, Building or Lot as determined by the Zoning Administrative Officer.

Swale: a low or slightly depressed natural area for drainage.

T

Thoroughfare: a way for use by vehicular, pedestrian, and bicycle traffic that provides Access to Lots and Open Spaces, and incorporates vehicular lanes and Public Frontages.

Tree: a woody plant with an expected mature height of thirty feet or more and possessing either a single trunk or multiple trunks. Trees are often described in subcategories by common attributes and the functions they serve:

- i. Canopy Tree: analogous to the term Shade Tree.
- ii. Coniferous Tree: any Tree with needle leaves and a woody cone fruit.

iii. Deciduous Tree: a Tree which sheds its foliage at the end of each growing season.

iv. Evergreen: a Tree or Shrub whose foliage persists year round. Plants typically associated with the upright conical or pyramidal Tree forms and needle foliage of Coniferous Trees (i.e. pine, spruce, fir, etc.), but which may also include plants with broadleaf foliage and rounded or spreading Tree forms.

v. Ornamental Tree: an Understory Tree planted primarily for its aesthetic value and as a landscape focal point, as opposed to its function of shading or screening even though it may perform all three functions.

vi. Shade Tree: typically a Deciduous Tree - rarely an evergreen - planted primarily for its overhead canopy and the quality of the shade it provides.

vii. Small/ Medium/ Large (Tree or Shrub): a means of categorizing Trees or Shrubs based upon their canopy or spread at maturity assuming proper maintenance and normal growing conditions and which serves the purpose of allowing for their proper spacing in landscape plans.

viii. Specimen Tree: a particularly impressive or unusual example of a species due to its size, shade, age, or any other trait that epitomizes the character of the species.

ix. Understory Tree: a small to medium sized Tree with an expected mature height less than thirty feet and a canopy which may or may not offer a sufficient Clearance height for pedestrians beneath.

Turfgrass: a continuous plant coverage consisting of a grass species that is regularly mowed to maintain a desired height.

U

Unit: a discrete portion of a building dedicated by lease or ownership to an individual use.

Urban Agriculture Structure: a structure related to the production of food in an urban environment, including but not limited to greenhouses, hoopouses, cold frames, tool sheds, etc.

Urbanism: collective term for the condition of a compact, Mixed Use settlement, including the physical form of its development and its environmental, functional, economic, and sociocultural aspects.

V

Valance: the portion of an awning that hangs perpendicular to the Sidewalk.