

DEPARTMENT OF PLANNING & ZONING ANNUAL REPORT

The Department of Planning & Zoning's eight-member staff administers two essential governmental functions:

- Comprehensive land use and development planning; and
- Administration of the City's land development regulations.

Through our planning function, the Department is responsible for the preparation of long-range land use and development plans including the City's Municipal Development Plan and other area-specific and issue-specific plans, conducts special studies and inventories, and researches and drafts amendments to City land development ordinances. Our work typically is accomplished in partnership with several other departments including CEDO, Parks and Recreation, Public Works, City Arts, and the Church Street Marketplace.

Through our regulatory function, the Department administers all permitting and development review functions under the City's *Comprehensive Development Ordinance*, which includes both zoning and subdivision regulations. In this process we collaborate closely in the administration of other development-related codes such as rental housing and zoning compliance/enforcement (Code Enforcement), construction permits (DPW-Inspection Services Division), and liquor licenses (City Council).

In support of these responsibilities and the work of many other City departments, our staff plays a key role in managing the City's Geographic Information System (GIS) and the AMANDA permit system in collaboration with the City's Information Technology Division. GIS allows users to analyze, view, and interpret information in a way that helps to identify spatial relationships and patterns and prepare high quality maps. AMANDA is integral to managing several of the City's property information (Land Records and Assessor), permitting (zoning and construction), and code enforcement (minimum housing, public health, vacant buildings and zoning) processes.

The Department's work is guided by a seven-member Planning Commission whose members formulate land use and development policy and regulations for consideration by the City Council. Another 25 citizen volunteers participate in the development review process as members of the Development Review Board (DRB), Design Advisory Board, and Conservation Board, playing key roles in implementing the City's land use and development regulations. Each year these volunteers dedicate hundreds of hours towards the improvement of the City, participating in more than 100 public meetings.

Development Review and Permitting:

During FY13, a total of 1,340 requests for zoning permits or determinations were processed by our staff. This was the highest number of requests ever processed by our office in a single year – part of a steady increase over six of the past eight years. Overall, 917 zoning permit applications were reviewed, with an approval rate of 97.9 percent. Approved projects had a total estimated construction cost of \$30.6 million and added 90 new residential units to the city.

Of this total:

- 877 permit applications (approximately 94%) were reviewed administratively by the Planning staff, with an approval rate of 98.3%. Additionally, staff issued 377 administrative determinations, including those indicating a zoning permit is not required for the work proposed;
- 59 permit applications and 7 appeals of administrative decisions were reviewed by the Development Review Board (DRB), with an approval rate of 93.2%; and
- Four DRB decisions were appealed to the VT Superior Court – Environmental Division.

The Department provides daily updates on the status of all applications currently under review on its website (www.burlingtonvt.gov/pz). This information is useful to residents who want to know about development activity proposed in their neighborhood, and for applicants who need to know when their permit has been approved and will be ready for pick-up. Permit application status information is available by street or ward, and in table or map formats.

Ordinance Amendments:

Regulation of land development is not a static process, and we always are in search of ways to make the development review process more effective and easier to use. Planning staff, working at the direction of the Planning Commission, researches and prepares draft amendments to the City's land development ordinances. Once approved by the Commission, these amendments go to the City Council for consideration and final adoption. A total of 12 amendments to the zoning ordinance were developed by staff and recommended for adoption by the Planning Commission in FY13.

The Burlington *Comprehensive Development Ordinance* is available in both hardcopy and digitally (CD), as well as on the Department's website (www.burlingtonvt.gov/pz), which also includes all pending ordinance amendments currently under consideration and those recently adopted.

Planning Projects:

The basis for all land development regulation and permitting is the City's land use and development policies and plans. Planning Department staff works with the Planning Commission and other City departments in undertaking planning studies and other projects that help us to better understand and respond to emerging trends and future community needs. Below is a summary of planning projects Department staff have been engaged in over the past year:

- **planBTV: Downtown and Waterfront Master Plan**

The Planning Department's flagship planning project over the past 3 years has been the development of a master land use and development plan for Burlington's Downtown and Waterfront.

This project has involved the most comprehensive, energetic, creative, inclusive and responsive planning effort Burlington has ever seen...an effort that has engaged and been responsive to thousands of people through dozens of meetings and events, online and in-person, through the media and the visual arts. The result is a community-based vision for the future of our downtown

and waterfront - a vision that respects our past and sets a path for a vibrant future by building upon our many assets. The plan emphasizes facilitating new infill and adaptive reuse of existing buildings, creating more housing and transportation choices, improving the pedestrian experience, proactive management of stormwater and our underutilized parking supply, and enlivening our waterfront year-round with a mix of uses, activities, attractions and amenities

This plan is really a compilation of many plans – plans developed by many people for many purposes over the years but focused on how to make the best use of our waterfront and downtown, and ensure they remain active and vital places for many years to come. The final plan was unanimously and enthusiastically adopted by the City Council on June 10, 2013.

Development of this plan has been a collaborative inter-departmental effort, with assistance from numerous consultants who specialize in urban design, housing, transportation, retail and real estate development, and waterfront development. Among the City departments actively engaged in this project have been CEDO, Parks and Recreation, Public Works, City Arts, and the Church Street Marketplace.

At the same time we have been creating this plan, we have also been working on developing new zoning regulations, capital improvements and public facilities that will make this new vision a reality. Visit the project website at www.Burlingtonvt.gov/planbty to learn more as see what's going on.

- **Climate Action Plan Revision**

With assistance from Planning and CEDO staff, the Planning Commission reviewed and recommended for adoption a revision to the City's 2000 *Climate Action Plan* (CAP). Priority efforts are divided into eight action areas: Energy Efficiency in Buildings; Renewable Energy Resources; City Government Transportation; Community Transportation; Waste Reduction and Recycling; Local Farms, Gardens, and Food Production; Urban Forestry and Carbon Offsets; and Policy and Education. These action areas correspond to either emission sources or reduction strategies and allow planners to organize and implement efforts accordingly.

Final adoption of a new Climate Action Plan by the City Council is anticipated in early-2014.

- **Open Space Protection Plan Revision**

Under the direction of the Conservation Board, staff from Planning and Parks hired a consultant to help them prepare an update the 2000 *Open Space Protection Plan*. The 2000 Plan focused on significant natural areas and recreational access. The proposed update builds on this work, reflecting changes in land use, land development, conservation, regulations, and planning policies that have occurred since 2000. The update also sets forth new goals and objectives in pursuit of future open space protection in the City, including topics such as: Community gardens and urban agriculture; Pocket parks; Stormwater infrastructure and functional green space; Contiguity of the trails system and access to it; and, Access to natural areas from each part of the city

Final adoption of a new Open Space Protection Plan by the City Council is anticipated in early-2014.

- **Re-Districting**

The Department has been providing technical staff support to the City's efforts to re-drawn new Ward boundaries. Population changes since the 1990 Census require the City's Wards to be re-drawn to reflect these changes and ensure equal representation on the City Council. Using the City's geographic information system (GIS), Planning staff has assisted, first a Redistricting Committee comprised of City Councilors and NPA members and later the Council's Charter Change Committee, in creating and evaluating a wide range of re-districting scenarios. A final proposal will need to go before the voters and the VT Legislature before it can take effect.

- **FEMA Hazard Mitigation**

Following the unprecedented lake flooding in the Spring of 2011, the Department undertook assessments of impacted properties, particularly in the North Avenue Extension and North Cove Road neighborhoods. Some of the properties were found to be substantially damaged and eligible for buy-out through FEMA's Hazard Mitigation Grant Program (HMGP). One property owner elected to pursue this voluntary buy-out option. Following a lengthy grant application and review period, monies to implement the mitigation work were finally made available in the Spring of 2013. This multi-agency effort, involving federal, state, and city officials, resulted in removing all structural improvements from the property and leaving it as permanent, city-owned green space. As a result, future flood losses at the property will be avoided.