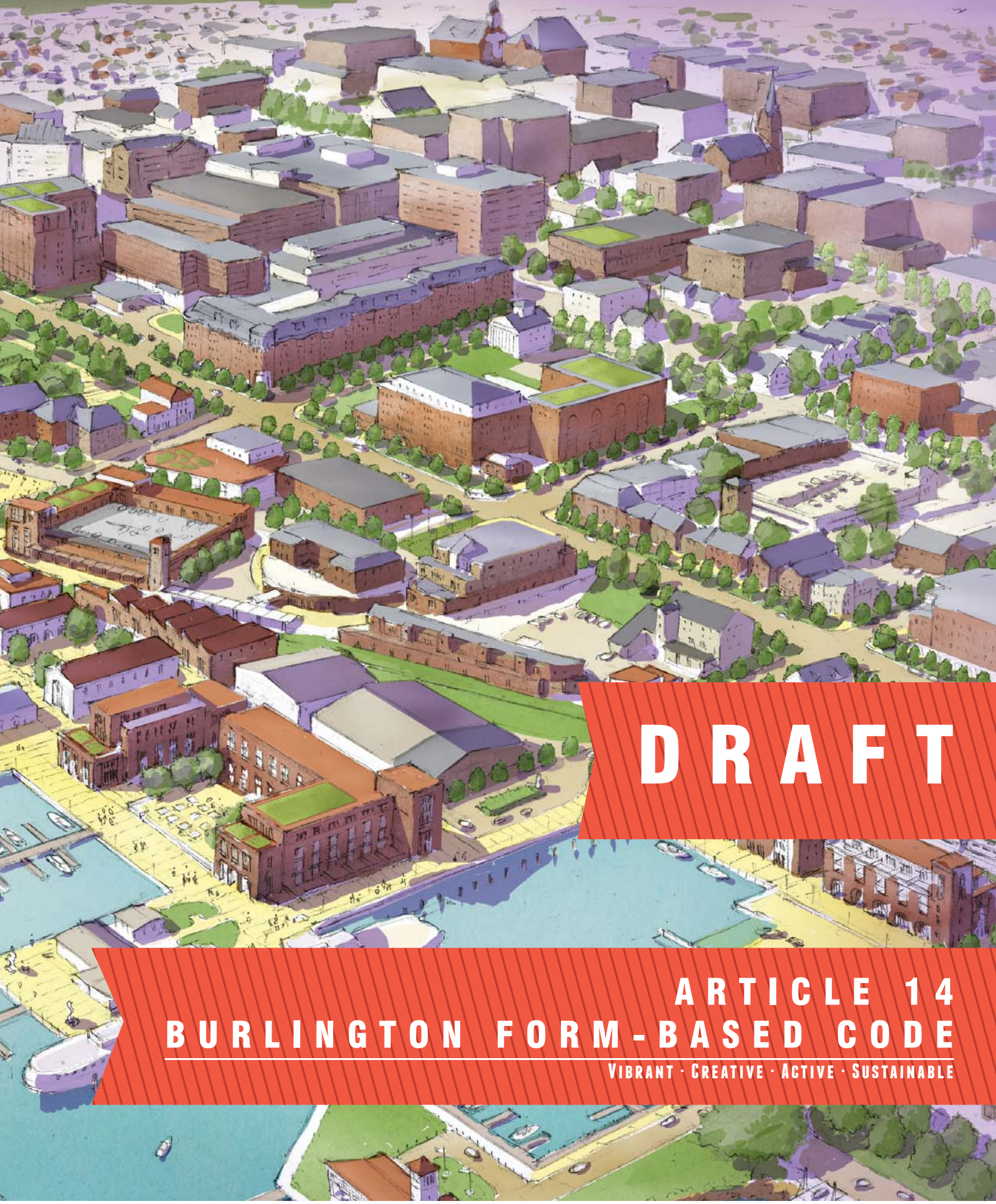

# DRAFT

## ARTICLE 14
## BURLINGTON FORM-BASED CODE

VIBRANT · CREATIVE · ACTIVE · SUSTAINABLE

The Form-Based Code is a collaboration of the City of Burlington, and Town Planning & Urban Design Collaborative LLC.
More at: http://www.burlingtonvt.gov/planBTV/

December 4, 2014

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The work that provided the basis for this publication was supported by funding under an award with the U.S. Department of Housing and Urban Development. The substance and findings of the work are dedicated to the public. The author and publisher are solely responsible for the accuracy of the statements and interpretations contained in this publication. Such interpretations do not necessarily reflect the views of the government.

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?

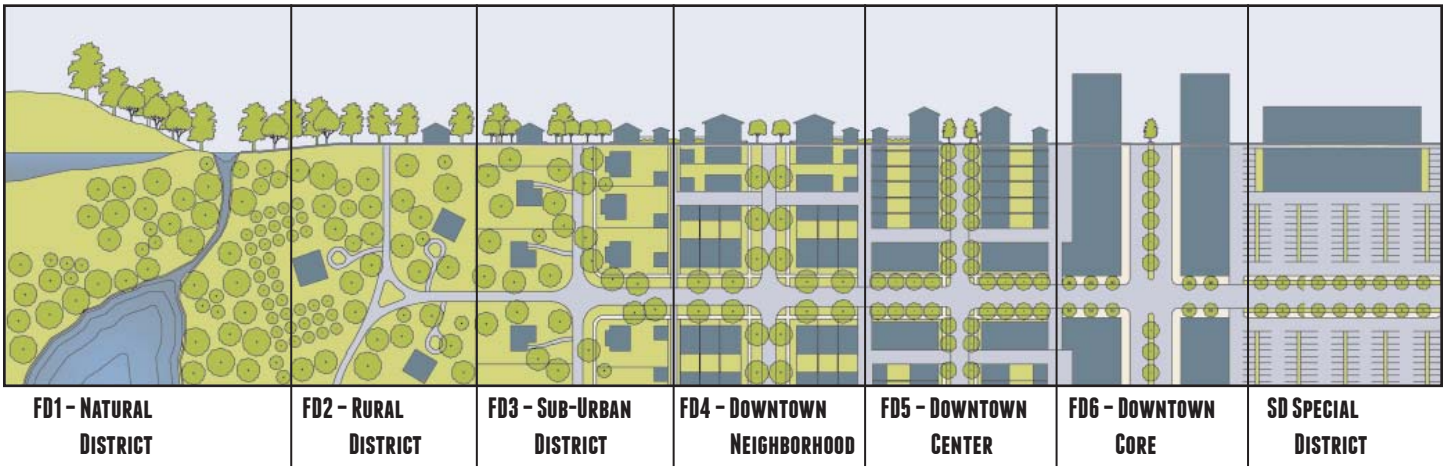
The growing use of "Form-Based" development regulations represents a paradigm shift in the way that communities regulate the growth and development of the built environment. More and more communities are realizing that conventional, use-based approaches to zoning are much less effective for regulating 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 con,centrating 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 t*o 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* (http:// 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 facilitiate 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

## 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 five Form Districts for Burlington's downtown and waterfront area as follows:

- FD4 - Downtown Neighborhood district applies to areas that have a mix of small to medium footprint, medium-density housing types (attached and detached) and in some instances a mix of single-family homes.
- FD5 district applies to areas that have higher density of residential or commercial development often in attached or slightly detached forms. The FD5 is divided into three distinct districts:
    1. FD5 - Downtown Center (FD5) allows both residential and commercial uses;
    2. FD5 - Art & Industry (FD5-AI) allows detached buildings with a medium side and front Setback; and
    3. FD5 - Public Trust (FD5-PT) allows detached or attached buildings but uses are limited by the Public Trust Doctrine
- 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

◄

| FD4 - Downtown Neighborhood | FD5-PT - Public Trust | FD5-AI - Art & Industry |
|---|---|---|
| | | |
| | | |
| | | |
| | | |

## 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 OF THE BURLINGTON FORM-BASED CODE

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 Signage, within the districts.

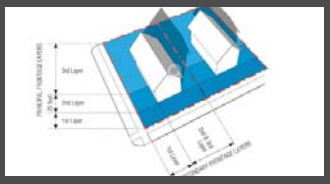
### Section 14.4
SPECIFIC TO BUILDING TYPES

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

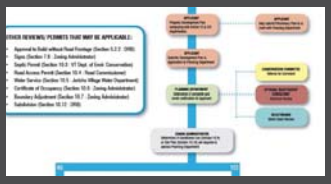
Establishes standards for a wide range of building frontages that provide the transition between the public street and the private realm within buildings.

### Section 14.6
SUPPLEMENTAL TO FORM DISTRICTS



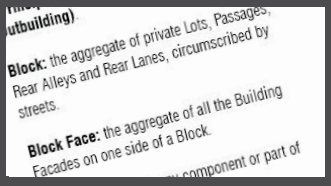
Establishes general development standards that apply across multiple Form Districts for topics such as parking, Signage and standards for specific uses.

### Section 14.7
ADMINISTRATION & PROCEDURES



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

### Section 14.8
FORM-BASED CODE GLOSSARY


utbuilding).
**Block:** the aggregate of private Lots, Passages, Rear Alleys and Rear Lanes, circumscribed by streets.
**Block Face:** the aggregate of all the Building Facades on one side of a Block.
component or part of

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).

**START HERE**

**Step One:** Find the Form District for your parcel — Maps

**Step Two:** Comply with the standards specific to your Form District — Section 14.3

**Step Three:** Choose and comply with the standards specific to your Building Type — Section 14.4

**Step Four:** Choose and comply with the standards specific to your Frontage Type — Section 14.5

**Step Five:** Comply with the standards general to all Form Districts — Section 14.6

**Step Six:** Follow all necessary procedures for permit application — Section 14.7

**Step Seven:** If you want to subdivide your property, follow the Procedures and comply with the requirements of the City's subdivision regulations.

# 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 has been 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 acces-sible 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 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 3, 4, 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 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 14.3.9 (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 Downtown and Waterfront District Regulating Plan indicates the boundaries of the Downtown and Waterfront District, the parts thereof that are within the Waterfront Core Official Map area, and the applicable Form Districts, Special Districts, Civic Spaces, Special Requirements, and any other elements.

All Development, re-development and Improvements to land, Structures, Buildings and Lots within Downtown and Waterfront District shall comply with the Downtown and Waterfront District Downtown and Waterfront District Regulating Plan and the elements and standards for such applicable Form Districts, Special 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 five (5) Form Districts and one Special District, as follows :

a) FD4 - Downtown Neighborhood (Section 14.3.4 - Specific to Form Districts - Downtown Neighborhood)

b) FD5-PT - Public Trust (Section 14.3.5 - Specific to Form Districts - Public Trust)

c) FD5-AI - Art & Industry (Section 14.3.6 - Specific to Form Districts - Art & Industry)

d) FD5 - Downtown Center (Section 14.3.7 - Specific to Form Districts - Downtown Center)

e) FD6 - Downtown Core (Section 14.3.8 - Specific to Form Districts - Downtown Core)

f) SD - Railyard/Wastewater Special District (Section 14.3.9 - Specific to Form Districts - Railyard/Wastewater Special District)

## 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 for and mapped on the Downtown and Waterfront District Regulating Plan are areas that are typically owned and operated by the City and which are dedicated for one or more Civic purposes. Civic Space Types are also assigned to each of the various Form Districts and may be incorpo-rated into new development. The Civic Space Types are shown in Section 14.6.12 (Civic Spaces).

## 14.2.6 - Special Requirements

The Downtown and Waterfront District Regulating Plan also designates Special Requirements listed below and depicted on Downtown and Waterfront District Regulating Plan - Map 2. and Downtown and Waterfront District Regulating Plan—Map 3. Where the Downtown and Waterfront District Regulating Plan designates any one or more of such Special Requirements, such designation indicates that the following standards shall be applied as follows:

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 are as follows:

   i. The height of a Building in FD5 with a Principal Frontage in the area identified as “A” on Downtown and Waterfront District Regulating Plan - Map 2. (Main Street, Pearl Street or South Winooski Avenue) may be increased to a maximum of 8 stories to a depth of 150’ from the Frontage Line.

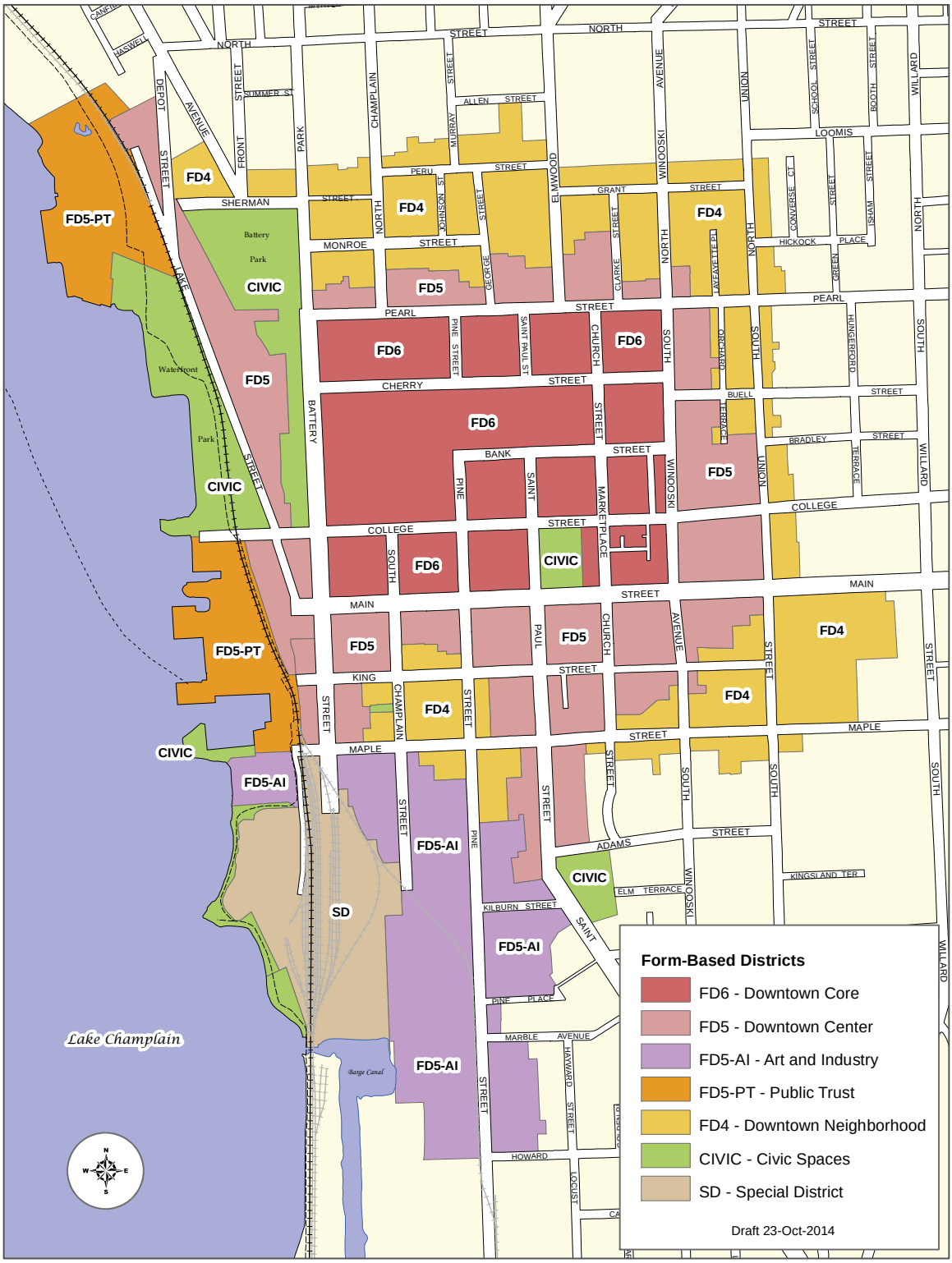
   ii. The height of a Building in FD6 with a Principal Frontage in the area identified as “B” on Downtown and Waterfront District Regulating Plan - Map 2. (Church Street Marketplace District) shall be decreased to (text deleted) a maximum of 4 stories to a depth of 50’ from the Frontage Line.

   iii. The height of a Building in FD6 with a Principal Frontage in the area identified as “C” on Downtown and Waterfront District Regulating Plan - Map 2. (generally the south side of Pearl Sttreet, east side of Battery Street, north side of College Street and 50’ from the Frontage line along the west side of Church Street) may be increased to a maximum of 12 stories.

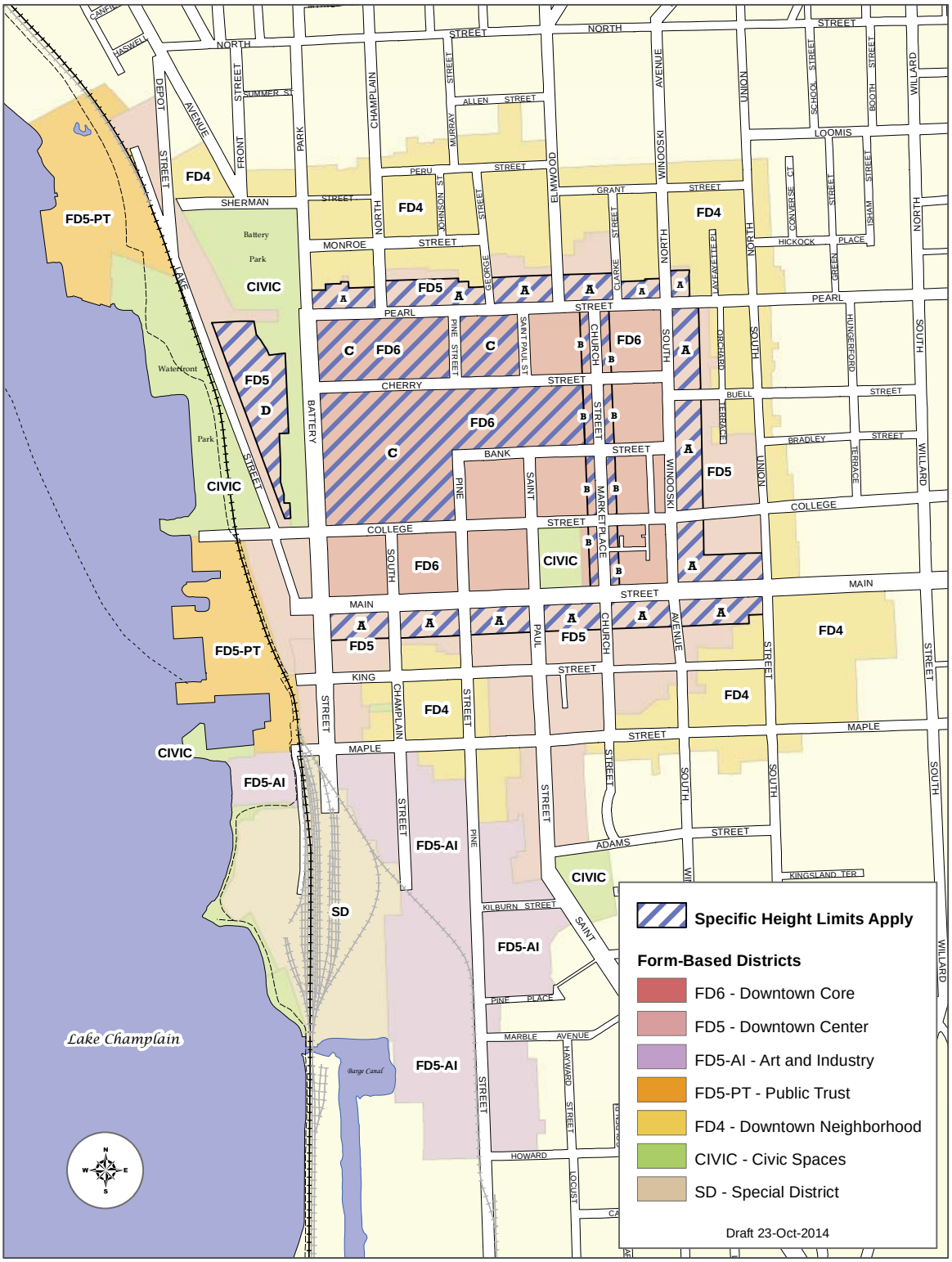
   iv. The height of a Building in FD5 with a Principal Frontage in the area identified as “D” on Downtown and Waterfront District Regulating Plan - Map 2. (Lake Street) may be incrementally increased beyond 50’ from the Frontage Line in order to establish a second Façade and Frontage along Battery Park Extension with the building having a presence of no more than 1 Story facing Battery Park Extension.

b) Shopfront Frontage - Areas within Form Districts where a Shopfront Frontage is required at Sidewalk level along the length of the Frontage. (See Section 14.5 Specific to Frontage Types - Shopfront) shall be as depicted on Downtown and Waterfront District Regulating Plan - Map 3.

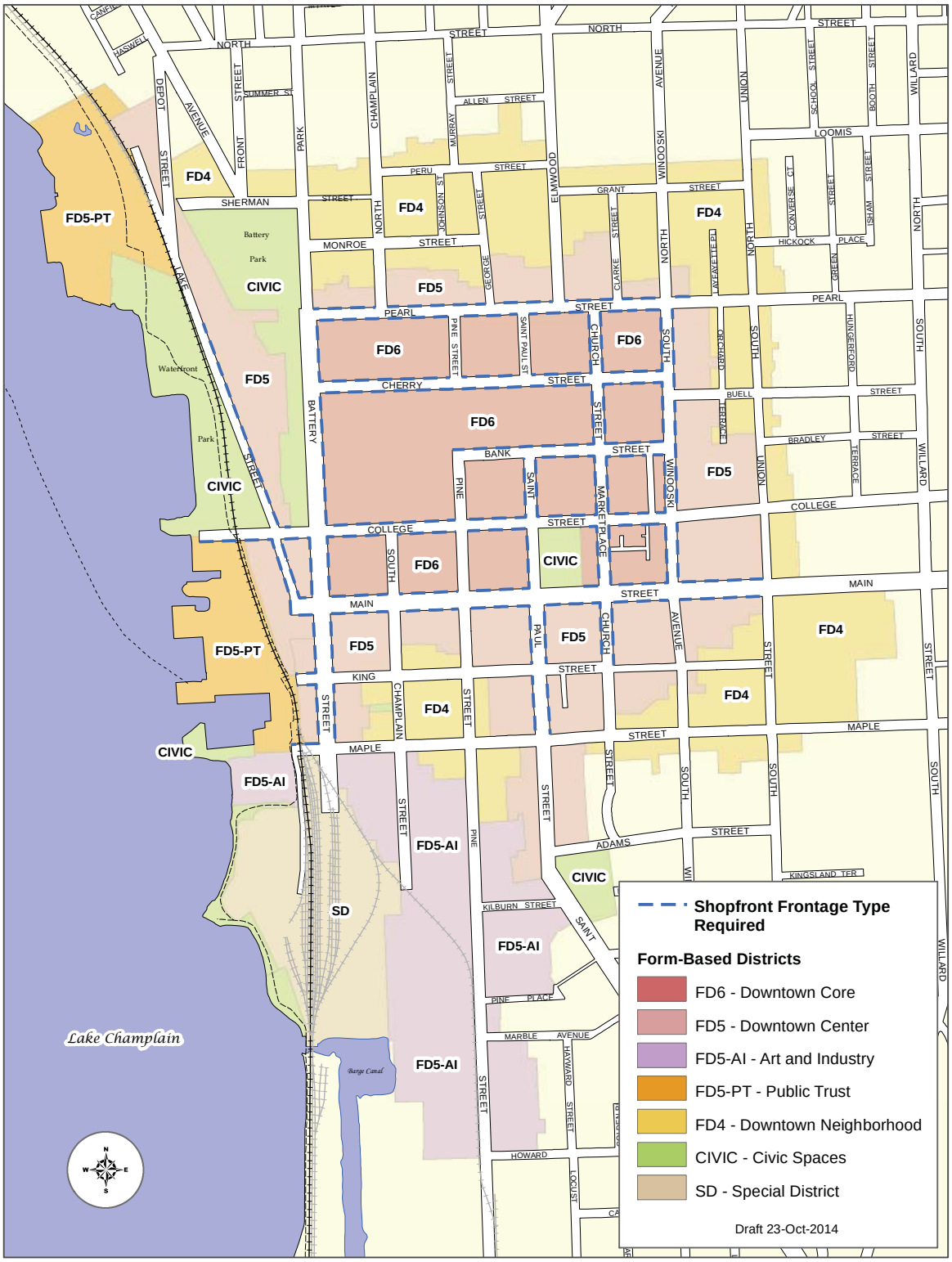
# Map 1 - Regulating Plan



# Map 2 - Specific Height Areas



# Map 3 - Shopfront Frontage



# Section 14.3: Specific to Form Districts, Special Districts

## Subsections:


14.3.1 Purpose

14.3.2 Applicability

14.3.3 Form Districts General

14.3.4 FD4 Downtown Neighborhood (FD4)

14.3.5 FD5 Public Trust (FD5-PT)

14.3.6 FD5 Art & Industry (FD5-AI)

14.3.7 FD5 Downtown Center (FD5)

14.3.8 FD6 Downtown Core (FD6)

14.3.9 SD Railyard/Wastewater Special District (SD)


## 14.3.1- Purpose

This Section provides regulatory standards governing building form standards, use, parking and Signage 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 proposed development is compatible with existing and future development on neighboring properties and produces a walkable, urban environment.

## 14.3.2-Applicability

All Development, re-development 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, Special District) including all Tables specific to each Form or Special Districts, 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:

a) Lots being newly platted or re-platted shall be dimensioned as shown for the applicable Form District in this Section.

b) 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.

c) A majority of the Facade of the building shall be built parallel to a rectilinear Principal Frontage Line or to the tangent of a curved Principal Frontage Line.

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

e) Mechanical equipment, including air conditioning, piping, ducts, and conduits external to the building, shall be concealed from view from Adjacent buildings and street level by landscaping, grills, screens or other enclosures. All utility service connections shall be underground for new construction and is recommended for existing buildings undergoing a renovation or addition.

f) One or more Principal Buildings at the Frontage, and one or more Outbuildings and Backbuilldings to the rear of the Principal Building, may be built on each Lot.

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

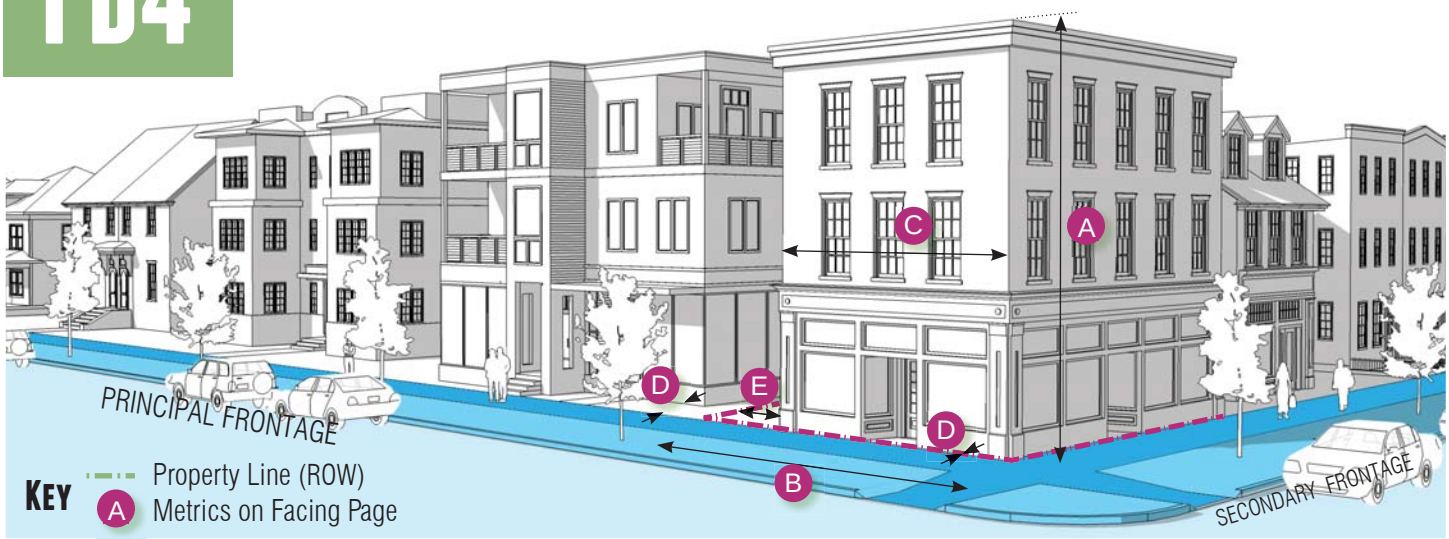
## TABLE 14.3-A- THE BURLINGTON FORM DISTRICTS SUMMARY TABLE [NOT-REGULATORY]

| FD4-Downtown Neighborhood | FD5-PT – Public Trust | FD5-AI-Art & Industry |
|---|---|---|
| | | |
| **Intent** | **Intent** | **Intent** |
| To provide a wide variety of urban housing choices, in medium to high density building types with small-scale neighborhood supportive functions primarily at corners. This district aims to reinforce and enhance the walkable nature of the neighborhood, given its close proximity to Adjacent mixed function zones. | To enhance the vibrant urban waterfront with a variety of building types and uses. Protect and improve the lakeshore and Access to the water and water-specific activities. This district aims to reinforce the walkable nature given its highly desirable waterfront location and close proximity to the urban city core | To support the emerging artisan neighborhood by encouraging revitalization and investment through a very diverse range of functions and building types, including housing mixed with light industrial. This district aims to enhance the walkable nature of the neighbor-hood, given its close proximity to Adjacent Mixed Use areas. |
| **Desired Form** | **Desired Form** | **Desired Form** |
| Attached or detached buildings | Attached or detached buildings | Attached or detached buildings |
| Small to medium footprint | Medium to large footprint | Small to large footprint |
| Building at or close to frontage line | Building at or close to the frontage line | Building at or close to the frontage line |
| Small to no side Setback | None to medium side Setback | Small to no side Setback |
| 2 to 3 stories | 1 to 3 stories | 3 to 5 stories |
| Outbuildings common | Outbuildings not common | Outbuildings not common |
| **General Use** | **General Use** | **General Use** |
| A diverse residential mix; with small to medium-sized neighborhood supportive service and retail functions primarily at corners. | Vertically Mixed Uses: primarily water-dependent, retail, service, hospitality, entertainment, Civic functions on the ground floor with other commercial uses on upper floors as limited by public trust requirements. | Vertical and horizontal Mixed Use; retail, commercial, residential and light industrial functions on any floors. Ideal for live-work. |

| FD5 – Downtown Center | FD6 – Downtown Core |
|---|---|
| | |
| **Intent** | **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. | 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** | **Desired Form** |
| Attached buildings | Attached buildings |
| Small to large footprint | Small to large footprint |
| Building at the frontage line | Building at the frontage line |
| No side Setback | No side Setback |
| 3 to 6 stories | 3 to 10 stories |
| Outbuildings not common | Outbuildings not common |
| **General Function** | |
| Vertically Mixed Uses: retail, service, hospitality, entertainment, Civic, on the ground floor with residential and other commercial uses on upper floors. | Vertically Mixed Uses: retail, service, hospitality, entertainment, Civic, on the ground floor with residential and other commercial uses on upper floors. |

# 14.3.4 - FD4 - Downtown Neighborhood

## FD4




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

### 14.3.4-A- Intent

To provide a wide variety of urban housing choices, in medium to high density building types with small-scale neighborhood supportive uses primarily at corners. This district aims to reinforce and enhance the walkable nature of the neighborhood, given its close proximity to Adjacent Mixed Use zones.

| |
|---|
| Attached or detached buildings |
| Small to medium footprint |
| Building at or close to the frontage line |
| Small to no side Setback, large rear Setback |
| 2 to 3 stories |
| Outbuildings common |

## 14.3.4-B- Allowed Building Types

| Building Type | Standards |
|---|---|
| Carriage House | Section 14.4.4 |
| Detached House | Section 14.4.5 |
| Duplex | Section 14.4.6 |
| Rowhouses | Section 14.4.7 |
| Multi-Family: Small | Section 14.4.8 |
| Multi-Family: Large | Section 14.4.9 |
| Work/Live | Section 14.4.10 |
| Mixed-Use[1] | Section 14.4.11 |
| Civic | Section 14.4.13 |

[1]Allowed on corner Lots only.

## 14.3.4-C- Building Form

| Height | | |
|---|---|---|
| Principal Building | 2 Stories min.[1]<br>3 Stories max. | A |
| Outbuilding & Backbuilding | | |
| Carriage House | 2 Stories max. | |
| Other Outbuilding | 1 Story max. | |
| Backbuilding | 1 Story max. | |

[1] Applicable to new buildings only.

## 14.3.4-D- Lot Occupation & Building Placement

| | | |
|---|---|---|
| Block Perimeter | 2,400 ft max. | |
| Lot Width[1] | 30' min. - 75' max. | B |
| Lot Coverage | 80% | |
| Frontage Buildout | 60% min. at Setback | C |
| Density | 40 units/ac | |

[1]Minimum Lot Width for Rowhouses may be 12' min.

| Building Disposition | Standards | |
|---|---|---|
| Edgeyard | Section 14.6.3 | |
| Sideyard | Section 14.6.3 | |
| Rearyard | Section 14.6.3 | |
| **Setback (Distance from ROW/Lot Line/Form District)** | | |
| Front[1] | | D |
| Principal Building | 5' min.[2]; 18' max. | |
| Outbuilding | In third Lot Layer | |
| Side | | E |
| Principal Building | 5' min.[3] | |
| Outbuilding | 5' min. | |
| Rear | | |
| Principal Building | 5' min. | |
| Outbuilding | 5' min. | |

[1] Where existing Adjacent buildings are in front of the regulated minimum front Setback, the building may be set to align with the front building Facade of the most immediately Adjacent properties.
[2] 0' front Setback is allowed for corner stores.
[3] 0' side Setback is allowed for Sideyard type houses, duplexes sharing a party wall and Rowhouse building type.
NOTE: Also see building code for additional requirements and limitations related to fire separation.

### Miscellaneous

Fence materials shall not include barbed or razor wire. Chain link and wire fencing shall not be used along any Frontage Line. Woven cable fencing is allowed.

## 14.3.4-E- Parking, Loading & Service

| Required Spaces | |
|---|---|
| Corner Stores | No off-street parking required and no new off-street parking shall be established. |

See Section 14.6.8 - (Supplemental to Form Districts - Parking, Loading, Service and Driveways) for parking specific requirements and Section 14.6.9 for bicycle parking standards.

| Location on the Lot |
|---|
| All on-site parking, including Parking Areas and Garages, shall be located in the Second or Third Lot Layer. |
| Garages with front loading bays shall be recessed a minimum of one (1) foot from the Facade of the Principal Building and designed to form a secondary building volume. |
| Parking Areas and Driveways must be set back from side and rear Lot Lines by 3' min. |

## 14.3.4-F- Encroachments - Required Setbacks

| Encroachment Type | Front | Side | Rear |
|---|---|---|---|
| Signs | A | - | - |
| Frontage Type[1] | A | - | - |
| Steps to Building Entrance | A | - | - |
| Balconies and Bay Windows | 50% | 3' max. | - |
| Other Architectural Features | 3' max. | 3' max. | 3' max. |
| Landscaping | A | A | A |
| Fences or freestanding walls | A[2] | 6' max. height | 6' max. height |
| Driveways, Walkways | A[3] | A[4] | A[5] |
| Utility Structures | - | A | A |

**Key**

| | |
|---|---|
| Encroachment Allowed: | A |
| Encroachment Not Allowed: | - |

[1] See Section 14.5 (Specific to frontage types) as applicable.
[2] 4' max. height, 3' max. height within the clear site triangle.
[3] Driveways no wider than 10 feet and Walkways no wider than 3 feet may encroach in the First Lot Layer to provide access to a Thoroughfare.
[4] Shared Driveways may fully encroach in the required side yard.
[5] Driveways no wider than 10 feet may encroach the required rear setback to provide access from rear alley or lane.

## 14.3.4-G- Signs

| Allowed Sign Types | Standards |
|---|---|
| Maximum total number of Signs per frontage | 1 |
| Blade | 14.6.10-E |
| Freestanding[1] | 14.6.10-F |
| Nameplate | 14.6.10-H |
| **Allowed Sign Types - Mixed-Use Buildings** | **Standards** |
| Maximum total number of Signs per Principal Frontage (Mixed Use Building Type only) | 4 |
| Maximum total number of Signs per Secondary Frontage (Mixed Use Building Type only) | 2 |
| Awning & Canopy Sign | 14.6.10-C |
| Band | 14.6.10-D |
| Outdoor Display Case | 14.6.10-I |
| Window | 14.6.10-K |

[1] 6' height max. with no illumination.

See Section 14.6.10 (Supplemental to Form Districts - Sign Standards) for specific requirements.

## 14.3.4-I- Use Type FD4

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 in the Form District.

| | |
|---|---|
| **RESIDENTIAL - GENERAL** | |
| Single Detached Dwelling | P |
| Accessory Dwelling Unit[1] *(Sec.14.6.7.e)* | P |
| Attached Dwellings | P |
| **RESIDENTIAL - SPECIAL** | |
| Assisted Living | P |
| Boarding House[1] | P |
| Community House *(Sec.14.6.7.d)* | CU |
| Convalescent /Nursing Home | P |
| Group Home | P |
| **SHORT-TERM ACCOMODATIONS** | |
| Bed and Breakfast[1] | P |
| Historic Inn *(Sec.14.6.7.b)* | P |
| Hotel, Motel[4] | P |
| Shelter[4] | P |
| **RETAIL - GENERAL[4]** | |
| ATM | P |
| Convenience Store | P |
| General Merchandise/Retail | P |
| **RETAIL - OUTDOOR** | |
| Open Air Markets[5] | P |
| **OFFICE & SERVICE[4]** | |
| Beauty Salon/Barber Shop/Spa | P |
| Crisis Counseling Center *(Sec. 14.6.7.g)* | CU |
| Dry Cleaning Service | P |
| Health Club/Studio | P |
| Laundromat | P |
| Office - General | P |
| Office – Medical | P |
| Tailor Shop | P |
| **HOSPITALITY/ ENTERTAINMENT/ RECREATION[4]** | |
| Café[2] | P |
| Club, Membership | P |
| Community Center | P |
| Museum - Small < 10,000 sf | P |
| Performing Arts Studio | P |
| Restaurant[2] | P |
| Restaurant – Take Out[2] | P |
| **EDUCATION & DAY CARE** | |
| Day Care - Adult | P |
| Daycare - Large (Over 20 children)[4] *(Sec.14.6.7.a)* | CU |
| Daycare - Small (7-20 children)[4] *(Sec.14.6.7.a)* | CU |
| Daycare - Home (6 children or less) | P |
| School - Post-Secondary & Community College | CU |
| School - Primary | CU |
| School - Secondary | CU |
| **Civic** | |
| Fire Station | P |
| Library | P |
| Park | P |
| Police Station | P |
| Post Office | P |
| Worship, Place of | P |
| **TRANSPORTATION & UTILITIES** | |
| Parking Structure [3] | CU |

### Key

| | |
|---|---|
| Permitted Use | P |
| Conditional Use | CU |

**END NOTES**

[1] Must be owner-occupied.

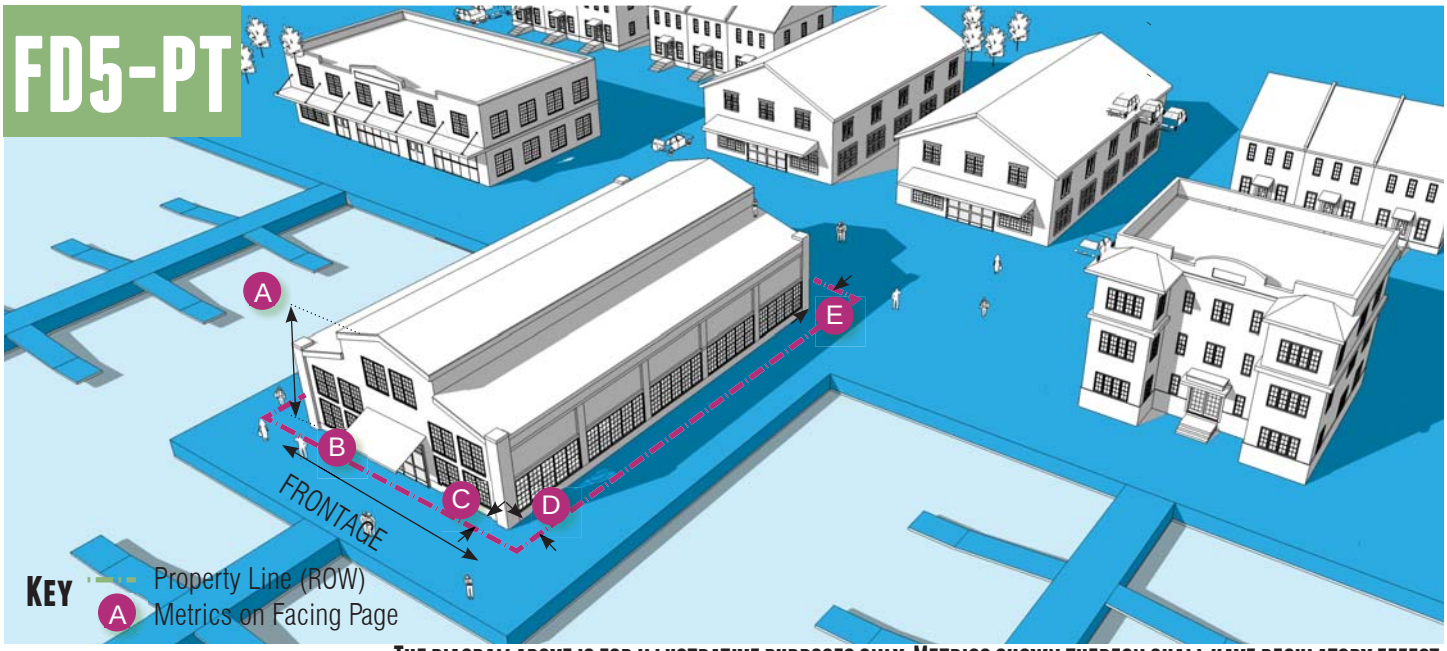
[2] No entertainment or outdoor dining allowed.

[3] Parking Structures shall be located behind a Perimeter Building (see Section 14.4.13).

[4] Only permitted in a mixed-use building type.

[5] Only permitted in a Civic Space.

# 14.3.5 - FD5-PT - Public Trust




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

## 14.3.5-A- Intent

To enhance the vibrant urban waterfront with a variety of building types and uses. Protect and improve the lakeshore and Access to the water and water-specific activities. This district aims to reinforce the walkable nature given its highly desirable waterfront location and close proximity to the urban city core.

| |
|---|
| Detached and attached buildings |
| Medium to large footprint |
| Building at or close to the frontage line |
| None to medium side Setback |
| 1 to 3 stories |
| Outbuildings not common |

## 14.3.5-B- Allowed Building Types

| Building Type | Standards |
|---|---|
| Mixed-Use | Section 14.4.11 |
| Perimeter | Section 14.4.12 |
| Civic | Section 14.4.13 |

## 14.3.5-C- Building Form

### Height

| | | |
|---|---|---|
| Principal Building | 3 Stories max. | A |
| Outbuilding<br>Backbuilding | 2 Stories max.<br>1 Story max. | |

### Miscellaneous

Lakeshore frontage shall be considered a second Principal Frontage.

Any buildings wider than 150' must be designed to read as a series of two or more separate buildings.

## 14.3.5-D- Lot Occupation & Building Placement

| | | |
|---|---|---|
| Lot Coverage | 100% | |
| Frontage Buildout[1,2] | 60% min. at Setback | B |

[1]In the absence of a Building Facade along any part of a Frontage Line, a Streetscreen shall be built on the same plane as the Facade. A Streetscreen shall be between 3.5 and 8 feet in height and may be no longer than 20 feet or 20% of the Frontage, whichever is less.
[2]Frontage buildout not applicable to a Lakeshore Frontage.

| Building Disposition | Standards | |
|---|---|---|
| Edgeyard | Section 14.6.3 | |
| Sideyard | Section 14.6.3 | |
| Rearyard | Section 14.6.3 | |

### Setback (Distance from ROW/Lot Line)

| | | |
|---|---|---|
| Front | | C |
| Principal Building | 0' min.; 6' max. | |
| Outbuilding | In third Lot Layer | |
| Side | | D |
| Principal Building | 0' min. - 12' max. | |
| Outbuilding | 0' min. or 3' min. on secondary frontage | |
| Rear | | E |
| Principal Building | 3' min. or 15' from rear Alley centerline | |
| Outbuilding | 3' min. or 15' from rear Alley centerline | |

## 14.3.5-D- Lot Occupation & Building Placement

### Waterfront Setback

(Distance from the lake mean high water mark - 100' msl)

| | |
|---|---|
| Principal Building | 50' min. |
| Outbuilding | 50' min. |

### Miscellaneous

A building form with a chamfered corner is allowed only on corner Lots and only if a corner entry is provided.

See Section 4.5.4 (f) Special Flood Hazard Area regulations for specific requirements.

Fence materials shall not include barbed or razor wire. Chain link and wire fencing shall not be used along any Frontage Line. Woven cable fencing is allowed.

## 14.3.5-E- Parking, Loading & Service

### Required Spaces

No off-street parking is required.

See Section 14.6.8 - (Supplemental to Form Districts - Parking, Loading, Service and Driveways) for parking specific requirements and Section 14.6.9 for bicycle parking standards.

### Location on the Lot

All on-site parking shall be provided within an enclosed Garage or Parking Structure. New or expanded Parking Areas and Parking Lots are not permitted.

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

With the exception of areas designed for unloading and loading of materials, Parking Lots shall be separated at least five feet from buildings in order to provide a Sidewalk, landscaping, or other planting between the building and Parking Area.

### Miscellaneous

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

## 14.3.5-F- Encroachments - Required Setbacks

| Encroachment Type | Rear | Lakeshore[1] |
|---|---|---|
| Steps to Building Entrance | A | A |
| Other Architectural Features | 3' max. | 3' max. |
| Landscaping | A | A |
| Signage | - | A |
| Awnings | - | 15' max. |
| Fences or freestanding walls | 6' max. height | A |
| Driveways, Walkways | A | A |
| Utility Structures | A | A |
| Accessory Structures that provide Access to water-related activities, such as docks, ferries, etc. | - | A |
| **Key** | | |
| Encroachment Allowed: | A | |
| Encroachment Not Allowed: | - | |

[1] A 16' min public pedestrian Access must be maintained at all times.

### Miscellaneous

An existing non-conforming Principal Building that Encroaches into a required Setback may be expanded vertically to the height of the pre-existing building provided that expansion does not increase the Encroachment into the required Setback.

## 14.3.5-G- Encroachments - Public right-of-way

(Along Primary and Secondary Frontages)

| Encroachment Type | Public ROW |
|---|---|
| Frontage Type<br>Shopfront: Awning and Canopy<br>Officefront: Awning and Canopy | <br>A[1]<br>A[1] |
| Other Architectural Features - Minimum 10 ft above the Sidewalk | 3' max. |
| Signs | A[2] |

[1] Subject to Awning and Canopy standards in Section 14.6.11 (Supplemental to Form-Districts - Urban Design Standards).

[2] With the exception of Freestanding Signs, Signs may Encroach into the street ROW subject to the limits set forth in Section 14.6.10 (Supplemental to Form Districts - Sign Standards).

## 14.3.5-H- Signs

| | |
|---|---|
| Maximum number of Signs per frontage | 4 |
| Maximum total number of Signs per Secondary frontage | 2 |
| **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 Section 14.6.10 (Supplemental to Form Districts - Sign Standards) for specific requirements.

## 14.3.5-I- Use Type (South of Main) FD5-PT

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 in the Form District.

Only the following uses are permitted within that portion of the Downtown Waterfront – Public Trust District (DW-PT) located north of the centerline of Main Street extended:

| | |
|---|---|
| Government facilities: such as water and sewer plants; Coast Guard and naval facilities; roads that are accessory and transportation facilities accessory to the uses permitted under this section; or existing roads and similarly sized extensions of those roads, that service the filled public trust lands and immediately adjacent lands. | P |
| Indoor or outdoor parks and recreation uses and facilities including parks and open space, marinas open to the public on a non-discriminatory basis, water dependent uses, boating and related services. | P |
| The arts, educational and cultural activities including theaters and museums. | P |
| Fresh water and other environmental research activities. | P |
| Services related and accessory to the uses permitted above, including restaurants, snack bars, and retail uses and ancillary parking; only those uses that are subordinate and customarily incidental to the uses listed shall be considered as related and accessory services. | P |
| Railroad, wharfing and storage uses. | P |
| Publicly accessible restrooms. Any structure larger than 1000 sf in size, other than roads, parking lots, railroad tracks or recreation paths, shall include publicly accessible restrooms with appropriate exterior signs indicating their availability. The DRB may waive this provision if it so determines that adequate publicly accessible restrooms are available within close proximity. | P |

## 14.3.5-I- Use Type (North of Main) FD5-PT

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 in the Form District.

Only the following uses are permitted within that portion of the Downtown Waterfront – Public Trust District (DW-PT) located north of the centerline of Maple Street extended north to the centerline of Main Street extended:

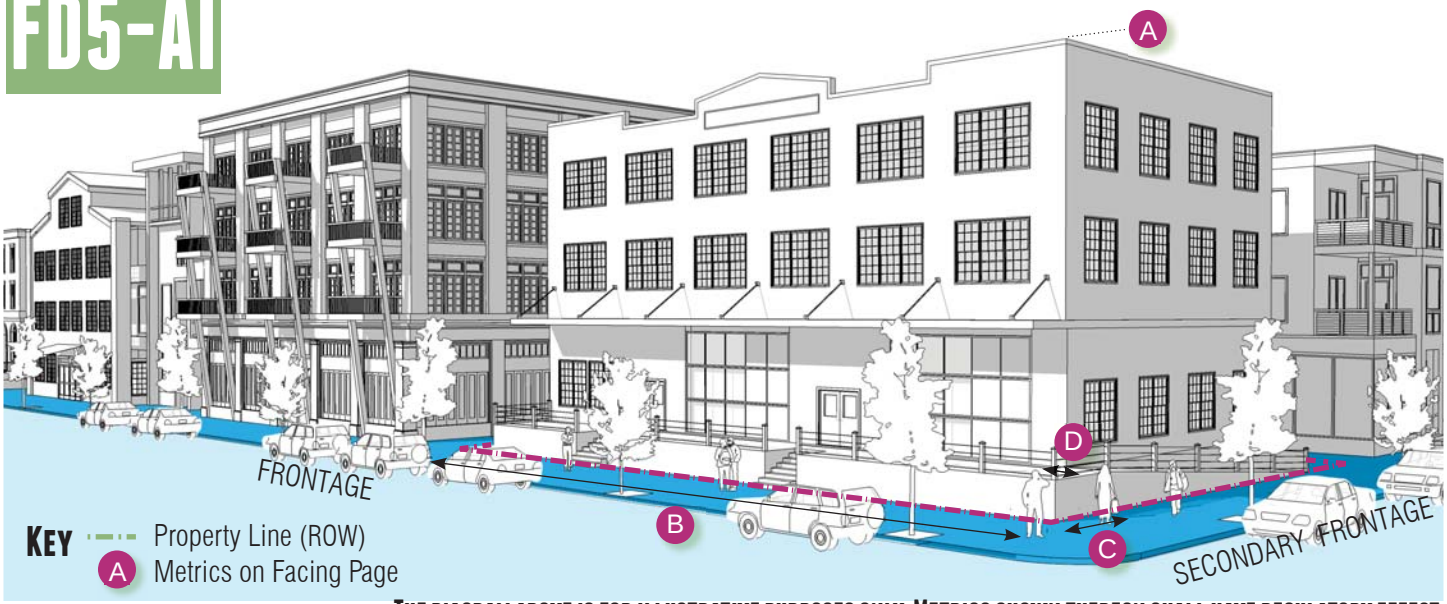
| | |
|---|---|
| Facilities for transporting pedestrians and vehicles upon Lake Champlain by ferry and cruise vessels, including necessary docks, wharfs, maintenance facilities, administrative offices, gift shops, snack bars and related parking facilities. | P |
| Marine related retail facilities. | P |
| Restaurants. | P |
| Inns with public space, including restaurant, restroom and retail use. Restrooms in the inns shall be available to the public. The authorization granted under this subdivision is contingent upon the prior and continuing availability in Burlington Harbor of 45 transient dock slips which are appropriately marked for convenient access. The authorization granted under this subdivision is also contingent upon the availability, in perpetuity, of uninterrupted public access along the shoreline of Lake Champlain from the centerline of Maple Street extending north to the centerline of Main Street. | P |
| Public Markets. | P |
| Publicly Accessible Restrooms. Any structure larger than 1000 sq. ft. in size, other than roads, parking lots, railroad tracks or recreation paths, shall include publicly accessible restrooms with appropriate exterior signs indicating their availability. The DRB may waive this provision if it so determines that adequate publicly accessible restrooms are available within close proximity. | P |

### Key

| | |
|---|---|
| Permitted Use | P |
| Conditional Use | CU |

# 14.3.6 - FD5-AI - Art & Industry

## FD5-AI




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

### 14.3.6-A- Intent

To support the emerging artisan neighborhood by encouraging revitalization and investment through a very diverse range of uses and building types, including housing mixed with light industrial. This district aims to enhance the walkable nature of the neighborhood, given its close proximity to Adjacent Mixed Use areas.

| |
|---|
| Attached or detached buildings |
| Small to large footprint |
| Building at or close to the frontage line |
| Small to no side Setback |
| 3 to 5 stories |
| Outbuildings not common |

## 14.3.6-B- Allowed Building Types

| Building Type | Standards |
|---|---|
| Work/Live | Section 14.4.10 |
| Mixed-Use | Section 14.4.11 |
| Perimeter | Section 14.4.12 |
| Civic | Section 14.4.13 |
| Flex | Section 14.4.14 |

## 14.3.6-C- Building Form

| Height | | |
|---|---|---|
| Principal Building | 3 Stories min.[1]<br>5 Stories max.[2] | A |
| Outbuilding<br>Backbuilding | 2 Stories max.<br>1 Story max. | |

[1] Applicable to new buildings only.
[2] Within 20' of a boundary with a Form District with a lower maximum building height, buildings shall not be more than a Story taller than the maximum permitted height of buildings in the Adjacent Form District.

**Miscellaneous**

The linear distance at the Frontage between ground floor entries shall be no more than 75'.

Any buildings wider than 150' must be designed to read as a series of two or more separate buildings.

Buildings with continuous Façades of 60' or greater in width shall be vertically articulated with projecting or recessed offsets not less than 4' deep, and at intervals of not greater than 50'

## 14.3.6-D- Lot Occupation & Building Placement

| | | |
|---|---|---|
| Lot Coverage | 80% | |
| Frontage Buildout[1] | 60% min. at Setback | B |

[1] In the absence of a Building Facade along any part of a Frontage Line, a Streetscreen shall be built on the same plane as the Facade. A Streetscreen shall be between 3.5 and 8 feet in height and may be no longer than 20 feet or 20% of the Frontage, whichever is less.

| Building Disposition | Standards | |
|---|---|---|
| Edgeyard | Section 14.6.3 | |
| Sideyard | Section 14.6.3 | |
| Rearyard | Section 14.6.3 | |
| **Setback (Distance from ROW/Lot Line)** | | |
| Front | | C |
| Principal Building | 0' min.; 15' max. | |
| Outbuilding | In third Lot Layer | |
| Side | | D |
| Principal Building | 0' min.- 30' max. total for both sides | |
| Outbuilding | 5' min | |
| Rear | | |
| Principal Building | 5' min. or 15' from rear Alley centerline | |
| Outbuilding | 5' min. or 15' from rear Alley centerline | |

**Miscellaneous**

Fence materials shall not include barbed or razor wire. Chain link and wire fencing shall not be used along any Frontage Line. Woven cable fencing is allowed.

## 14.3.6-E- Parking, Loading & Service

### Required Spaces

See Section 14.6.8 - (Supplemental to Form Districts - Parking, Loading, Service and Driveways) for parking specific requirements and Section 14.6.9 for bicycle parking standards.

### Location on the Lot

Parking Areas shall be located in the Second or Third Lot Layer.

Parking Lots shall be located in the Third Lot Layer.

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

Parking Areas must be set back from side and rear Lot Lines by 3' min.

With the exception of areas designed for unloading and loading, Parking Areas shall be separated at least three feet from buildings in order to provide a Sidewalk, landscaping, or other planting between the building and Parking Area.

### Miscellaneous

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

## 14.3.6-F- Encroachments - Required Setbacks

| Encroachment Type | Side | Rear |
|---|---|---|
| Steps to Building Entrance | A | A |
| Other Architectural Features | 3' max. | 3' max. |
| Landscaping | A | A |
| Fences or freestanding walls | 4' max. height | 6' max. height |
| Driveways, Walkways | A | A |
| Utility Structures | A | A |

**Key**

| | |
|---|---|
| Encroachment Allowed: | A |
| Encroachment Not Allowed: | - |

### Miscellaneous

An existing building that Encroaches into a required Setback may be expanded vertically so long as that expansion does not Encroach further into the required Setback than the existing building.

## 14.3.6-G- Encroachments - Public right-of-way

(Along Primary and Secondary Frontages)

| Encroachment Type | Public ROW |
|---|---|
| Frontage Type | |
| Shopfront: Awning and Canopy | A[1] |
| Officefront: Awning anc Canopy | A[1] |
| Other Architectural Features - Minimum 10 ft above the Sidewalk | 3' max. |
| Signs | A[2] |

[1] Subject to Awning and Canopy standards in Section 14.6.11 (Supplemental to Form-Districts - Urban Design Standards).

[2] With the exception of Freestanding Signs, Signs may Encroach into the ROW subject to the limits set forth in Section 14.6.10 (Supplemental to Form Districts - Sign Standards).

## 14.3.6-H- Signs

| | |
|---|---|
| Maximum total number of Signs per Frontage Type | 6 |
| Maximum total number of Signs per Secondary Frontage | 2 |

| 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 |
| Nameplate | 14.6.10-H |
| Outdoor Display Case | 14.6.10-I |
| Wall | 14.6.10-J |
| Window | 14.6.10-K |

[1] 60 sf area max permitted

### Miscellaneous

See Section 14.6.10 (Supplemental to Form Districts - Sign Standards) for specific requirements.

## 14.3.6-I- Use Type FD5 - AI

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 in the Form District.

| | |
|---|---|
| **RESIDENTIAL - GENERAL** | |
| Attached Dwellings | P |
| **RESIDENTIAL - SPECIAL** | |
| Boarding House[1] (6 persons or less) | P |
| Group Home | P |
| **SHORT-TERM ACCOMODATION** | |
| Shelter | P |
| **RETAIL - GENERAL** | |
| ATM | P |
| Convenience Store | P |
| Fuel Service Station[3] *(Sec.14.6.7.c)* | P |
| General Merchandise/Retail > 10,000 sf | P |
| Wholesale Sales[3] | P |
| **RETAIL - OUTDOOR** | |
| Automobile Sales/Rentals *(Sec. 14.6.7.c)* | P |
| Boat Sales/Rentals | P |
| Building Material Sales | P |
| Contractor Yard | P |
| Garden Supply Store | P |
| Open Air Markets | P |
| Recreational Vehicle Sales/Rentals | P |
| **OFFICE & SERVICE** | |
| Animal Grooming | P |
| Beauty Salon/Barber Shop/Spa | P |
| Car Wash | P |
| Crisis Counseling Center *(Sec. 14.6.7.g)* | P |
| Office – General | P |
| Dry Cleaning Service | P |
| Funeral Home | P |
| Health Club/Studio | P |
| Laundromat | P |
| Office – Medical | P |
| Tailor Shop | P |
| Vehicle/Boat Repair/Service | P |
| **HOSPITALITY/ ENTERTAINMENT/ RECREATION** | |
| Aquarium | P |
| Art Gallery/Studio | P |
| Billiards, Bowling & Arcade | P |
| Café | P |
| Cinema | P |
| Club, Membership | P |
| Community Center | P |
| Museum | P |
| Performing Arts Center | P |
| Performing Arts Studio | P |
| Recreational Facility - Indoor | P |
| Restaurant | P |
| Restaurant – Take Out | P |
| **AGRICULTURE** | |
| ComPosting | P |
| **MANUFACTURING/ PRODUCTION/ STORAGE** | |
| Boat Storage | P |
| Dental Lab | P |
| Dry Cleaning Plant | P |
| Food Processing | P |
| Machine/Woodworking Shop | P |
| Manufacturing | P |
| Manufacturing - Tour Oriented | P |
| Medical Lab | P |
| Production Studio | P |
| Photography Lab | P |
| Printing Plant | P |
| Research Lab | P |
| Warehouse/Storage | P |
| Warehouse, Self-Storage[3] | P |
| **EDUCATION & DAY CARE** | |
| Day Care - Adult | P |
| Daycare - Large (Over 20 children) *(Sec. 14.6.7.a)* | P |
| Daycare - Small (7-20 children) *(Sec. 14.6.7.a)* | P |

| 14.3.6-I- Use Type | FD5 - AI |
|---|---|
| Daycare - Home (6 children or less) | P |
| School - Post-Secondary & Community College | CU |
| School - Primary | CU |
| School - Secondary | CU |
| School - Trade, or Professional | CU |
| **Civic** | |
| Fire Station | P |
| Park | P |
| Police Station | P |
| Post Office | P |
| Public Works Yard/Garage | P |
| Worship, Place of | P |
| **TRANSPORTATION & UTILITIES** | |
| Hazardous Waste Collection/Disposal | CU |
| Recycling Center - Large [3] (above 2,000 sf) | CU |
| Recycling Center - Small [3] (2,000 sf or less) | P |
| Solid Waste Facility - Incinerator, Landfill, Transfer Station [3] | CU |
| Public Transit Terminal | P |
| Operations Center – Taxi/Bus [3] | P |
| Operations Center – Trucking [3] | P |
| Parking Structure [3] | P |
| Parking Lot | P |
| Rail Equipment Storage and Repair | P |

**Key**

| | |
|---|---|
| Permitted Use | P |
| Conditional Use | CU |

**END NOTES**

[1]Must be owner-occupied.

[2] Parking Structures shall be located behind a Perimeter Building (see Section 14.4.13).

[3] Exterior storage and display not permitted.

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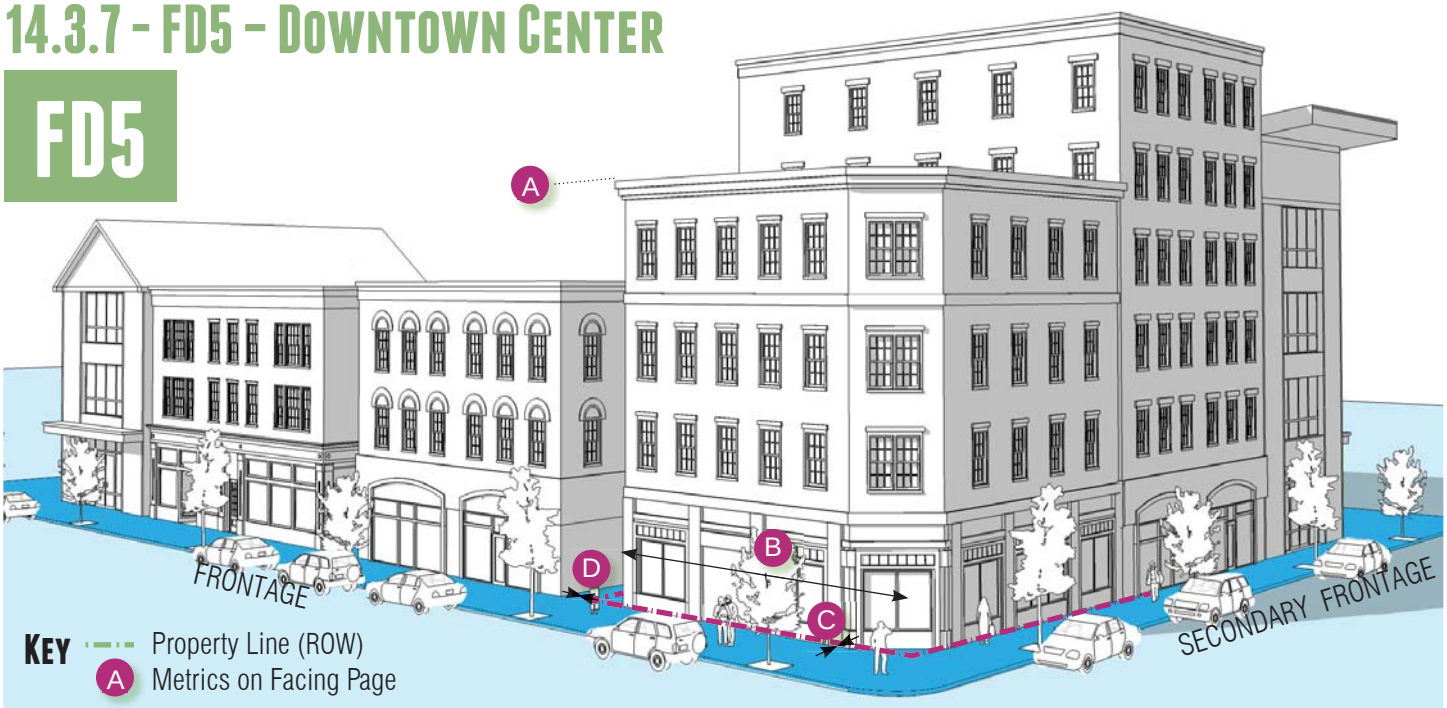
# 14.3.7 - FD5 - Downtown Center

## FD5




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

### 14.3.7-A- 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.

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

## 14.3.7-B- Allowed Building Types

| Building Type | Standards |
|---|---|
| Rowhouses | Section 14.4.7 |
| Multi-Family: Small | Section 14.4.8 |
| Multi-Family: Large | Section 14.4.9 |
| Work/Live | Section 14.4.10 |
| Mixed-Use | Section 14.4.11 |
| Perimeter | Section 14.4.12 |
| Civic | Section 14.4.13 |

## 14.3.7-C- Building Form

| Height | | |
|---|---|---|
| Principal Building | 3 Stories min. [1]<br>6 Stories max. [2, 3] | A |
| Outbuilding<br>Backbuilding | 2 Stories max.<br>1 Story max. | |

[1] Applicable to new buildings only.
[2] Subject to Regulating Plan Special Requirements - Map 2.
[3] Within 20' of a Form District boundary with a lower maximum building height, buildings shall not be more than a Story taller than the maximum permitted height of buildings in the Adjacent Form District.

### Miscellaneous

The linear distance at the Frontage between ground floor entries shall be no more than 60'.

Any buildings wider than 150' must be designed to read as a series of two or more separate buildings.

Buildings with continuous Façades of 60' or greater in width shall be vertically articulated with projecting or recessed offsets not less than 4' deep, and at intervals of not greater than 50'

## 14.3.7-D- Lot Occupation & Building Placement

| | | |
|---|---|---|
| Block Perimeter | 2,000 ft. max. | |
| Lot Coverage | 100% | |
| Frontage Buildout[1] | 80% min. at Setback | B |

[1]In the absence of a Building Facade along any part of a Frontage Line, a Streetscreen shall be built on the same plane as the Facade. A Streetscreen shall be between 3.5 and 8 feet in height and may be no longer than 20 feet or 20% of the Frontage, whichever is less.

| Building Disposition | Standards |
|---|---|
| Sideyard | Section 14.6.3 |
| Rearyard | Section 14.6.3 |

| Setback (Distance from ROW/Lot Line) | | |
|---|---|---|
| Front | | C |
| Principal Building | 0' min.; 6' max. | |
| Outbuilding | In third Lot Layer | |
| Side | | D |
| Principal Building | 0' min. - 12' max.<br>5' min. along a shared FD boundary with FD4 | |
| Outbuilding | 0' min. or 3' min. on secondary frontage | |
| Rear | | |
| Principal Building | 3' min. or 15' from rear Alley centerline | |
| Outbuilding | 3' min. or 15' from rear Alley centerline | |

### Miscellaneous

Fence materials shall not include barbed or razor wire. Chain link and wire fencing shall not be used along any Frontage Line. Woven cable fencing is allowed.

## 14.3.7-E- Parking, Loading & Service

### Required Spaces

No on-site parking is required.

See Section 14.6.8 - (Supplemental to Form Districts - Parking, Loading, Service and Driveways) for parking specific requirements and Section 14.6.9 for bicycle parking standards.

### 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 located in the second Lot Layer if below-grade or above the first Story.

### Miscellaneous

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

## 14.3.7-F- Encroachments - Required Setbacks

| Encroachment Type | Rear |
|---|---|
| Steps to Building Entrance | A |
| Other Architectural Features | 3' max. |
| Landscaping | A |
| Fences or freestanding walls | 6' max. height |
| Driveways, Walkways | A |
| Utility Structures | A |

**Key**

| | |
|---|---|
| Encroachment Allowed: | A |
| Encroachment Not Allowed: | - |

## 14.3.7-G- Encroachments - Public right-of-way

(Along Primary and Secondary Frontages)

| Encroachment Type | Public ROW |
|---|---|
| Frontage Type | |
| Shopfront: Awning and Canopy | A[1] |
| Officefront: Awning and Canopy[1] | A[1] |
| Other Architectural Features - Minimum 10 ft above the Sidewalk | 3' max. |
| Signs | A[2] |

[1] Subject to Awning and Canopy standards in Section 14.6.11 (Supplemental to Form-Districts - Urban Design Standards).

[2] With the exception of Freestanding Signs, Signs may Encroach into the ROW subject to the limits set forth in Section 14.6.10 (Supplemental to Form Districts - Sign Standards).

## 14.3.7-H- Signs

| | |
|---|---|
| Maximum total number of Signs per Frontage | 6 |
| Maximum total number of Signs per Secondary | 2 |

| 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 Section 14.6.10 (Supplemental to Form Districts - Sign Standards) for specific requirements.

## 14.3.7-I- Use Type FD5

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 in the Form District.

| | |
|---|---|
| **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 |
| Group 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 |
| Convenience Store | P |
| Fuel Service Station [2] *(Sec.14.6.7.c)* | P |
| General Merchandise/Retail | P |
| **RETAIL - OUTDOOR** | |
| Automobile Sales/Rentals *(Sec. 14.6.7.c)* | P |
| Boat Sales/Rentals | P |
| Garden Supply Store | P |
| Open Air Markets | P |
| Recreational Vehicle Sales/Rentals | P |
| **OFFICE & SERVICE** | |
| Animal Grooming | P |
| Beauty Salon/Barber Shop/Spa | P |
| Car Wash | P |
| Crisis Counseling Center *(Sec. 14.6.7.g)* | P |
| Office – General | P |
| Dry Cleaning Service | P |
| Funeral Home | P |
| Health Club/Studio | P |
| Laundromat | P |
| Mental Health Crisis Center | P |
| Office – Medical | P |
| Tailor Shop | P |
| Vehicle/Boat Repair/Service [2] | P |
| **HOSPITALITY/ ENTERTAINMENT/ RECREATION** | |
| Aquarium | P |
| Art Gallery/Studio | P |
| Arts Incubator (Sec. 14.6.7.j) | 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 |
| **MANUFACTURING/ PRODUCTION/ STORAGE** | |
| Boat Storage | P |
| Dental Lab | P |
| Food Processing | P |
| Machine/Woodworking Shop | P |
| Manufacturing | P |
| Manufacturing - Tour Oriented | P |
| Medical Lab | P |
| Production Studio | P |

| 14.3.7-I- Use Type | FD5 |
|---|---|
| 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 |
| **TRANSPORTATION & UTILITIES** | |
| Recycling Center - Small [3] (2,000 sf or less) | P |
| Public Transit Terminal | P |
| Operations Center – Taxi/Bus [3] | P |
| Parking Structure [3] | P |

**Key**

| | |
|---|---|
| Permitted Use | P |
| Conditional Use | CU |

**END NOTES**

[1]Must be owner-occupied.

[2] Parking Structures shall be located behind a Perimeter Building (see Section 14.4.13).

[3] Exterior storage and display not permitted.

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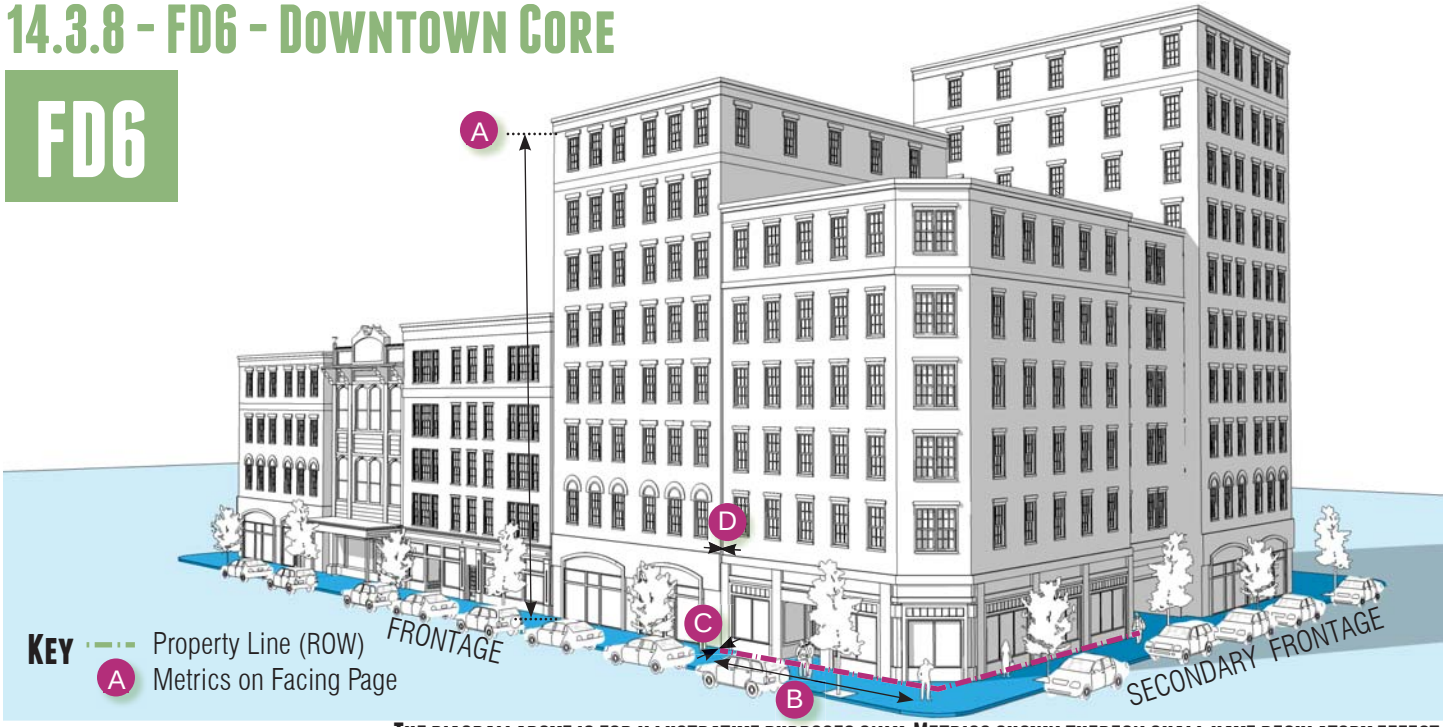
# 14.3.8 - FD6 - Downtown Core

## FD6




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

### 14.3.8-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.

| |
|---|
| Attached buildings |
| Small to large footprint |
| Building at the frontage line |
| No side Setback |
| 3 to 10 stories |
| Outbuildings not common |

## 14.3.8-B- Allowed Building Types

| Building Type | Standards |
|---|---|
| Rowhouses | Section 14.4.7 |
| Multi-Family: Large | Section 14.4.9 |
| Mixed-Use | Section 14.4.11 |
| Perimeter | Section 14.4.12 |
| Civic | Section 14.4.13 |

## 14.3.8-C- Building Form

| Height | | |
|---|---|---|
| Principal Building | 3 Stories min.[1]<br>10 Stories max. [2] | A |
| Outbuilding<br>Backbuilding | 2 Stories max.<br>1 Story max. | |

[1] Applicable to new buildings only.
[2] Subject to Regulating Plan Special Requirements - Map 2.

### Miscellaneous

The linear distance at the Frontage between ground floor entries shall be no more than 60'.

Any buildings wider than 150' must be designed to read as a series of two or more separate buildings.

Buildings with continuous Façades of 60' or greater in width shall be vertically articulated with projecting or recessed offsets not less than 4' deep, and at intervals of not greater than 50'

## 14.3.8-D- Lot Occupation & Building Placement

| | |
|---|---|
| Block Perimeter | 2,000 ft max. |
| Lot Coverage | 100% max. |
| Frontage Buildout[1] | 100% max. along Principal Frontage |
| | 80% max. along Secondary Frontage |

[1]In the absence of a Building Facade along any part of a Frontage Line, a Streetscreen shall be built on the same plane as the Facade. A Streetscreen shall be between 3.5 and 8 feet in height and may be no longer than 20 feet or 20% of the Frontage, whichever is less.

| Building Disposition | Standards |
|---|---|
| Sideyard | Section 14.6.3 |
| Rearyard | Section 14.6.3 |

## 14.3.8-D- Lot Occupation & Building Placement

| Setback (Distance from ROW/Lot Line) | | |
|---|---|---|
| Front<br>Principal Building<br>Outbuilding | <br>0' min.; 6' max.<br>In third Lot Layer | C |
| Side<br>Principal Building<br>Outbuilding | <br>0' min. - 12' max.<br>0' min. or 3' min. on secondary frontage | D |
| Rear<br>Principal Building<br>Outbuilding | <br>0' min. or 15' from rear Alley centerline<br>0' min. or 15' from rear Alley centerline | |

### Miscellaneous

Fence materials shall not include barbed or razor wire. Chain link and wire fencing shall not be used along any Frontage Line. Woven cable fencing is allowed.

## 14.3.8-E- Parking, Loading & Service

### Required Spaces

No on-site parking is required.

See Section 14.6.8 - (Supplemental to Form Districts - Parking, Loading, Service and Driveways) for parking specific requirements and Section 14.6.9 for bicycle parking standards.

### 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 second Lot Layer if located below-grade or above the first Story.

### Miscellaneous

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

## 14.3.8-F- Encroachments - Required Setbacks

| Encroachment Type | Rear |
|---|---|
| Steps to Building Entrance | A |
| Other Architectural Features | 3' max. |
| Landscaping | A |
| Fences or freestanding walls | 6' max. height |
| Driveways, Walkways | A |
| Utility Structures | A |

**Key**

| | |
|---|---|
| Encroachments Allowed: | A |
| Encroachments Not Allowed: | - |

## 14.3.8-G- Encroachments - Public right-of-way

(Along Principal and Secondary Frontages)

| Encroachment Type | Public ROW |
|---|---|
| Frontage Type<br>Shopfront: Awning and Canopy<br>Officefront: Awning and Canopy | <br>A[1]<br>A[1] |
| Other Architectural Features - Minimum 10 ft above the Sidewalk | 3' max. |
| Signs | A[2] |

[1] Subject to Awning and Canopy standards in Section 14.6.11 (Supplemental to Form-Districts - Urban Design Standards).

[2] With the exception of Freestanding Signs, Signs may Encroach into the ROW subject to the limits set forth in Section 14.6.10 (Supplemental to Form Districts - Sign Standards).

## 14.3.8-H- Signs

| | |
|---|---|
| Maximum total number of Signs per Frontage Type | 6 |
| Maximum total number of Signs per Secondary Frontage | 2 |

| 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 |

## 14.3.8-H- Signs

| | |
|---|---|
| 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 Section 14.6.10 (Supplemental to Form Districts - Sign Standards) for specific requirements.

## 14.3.8-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 in the Form District.

| | |
|---|---|
| **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 |
| Convenience Store | P |
| Fuel Service Station[2] *(Sec.14.6.7.c)* | P |
| General Merchandise/Retail | P |
| Auto/Boat/RV Sales/Rentals[3] *(Sec.14.6.7.c)* | P |
| **Retail - Outdoor** | |
| Open Air Markets | P |

## 14.3.8-I- Use Type

| | FD6 |
|---|---|
| **OFFICE & SERVICE** | |
| Animal Grooming | P |
| Beauty Salon/Barber Shop/Spa | P |
| Car Wash | P |
| Crisis Counseling Center *(Sec. 14.6.7.g)* | P |
| Office – General | P |
| Dry Cleaning Service | P |
| Funeral Home | P |
| Health Club/Studio | P |
| Laundromat | P |
| Mental Health Crisis Center | P |
| Office – Medical | 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 |
| **MANUFACTURING/ PRODUCTION/ STORAGE** | |
| Dental Lab | P |
| Food Processing | P |
| Machine/Woodworking Shop | P |
| Manufacturing | P |
| Manufacturing - Tour Oriented | 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 |
| **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**

[1] Must be owner-occupied.

[2] Automobile 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 Section 14.4.13).

# 14.3.9 - SD - Railyard/Wastewater Special District

Photograph provided for illustrative purposes only.

## 14.3.9-A- Intent

To accommodate municipal wastewater treatment; and railroad operations, intermodal transfers, rail equipment servicing, storage and repair, material storage and administrative functions.

| |
|---|
| Detached buildings |
| Medium to large footprint |
| 2 to 3 stories |
| Outbuildings are common |
| Outdoor storage is common |
| Outbuildings not common |

## 14.3.9-B- Allowed Building Types

| Building Type | Standards |
|---|---|
| Do not apply. | |

## 14.3.9-C- Building Form

### Height

| | |
|---|---|
| Principal Building | 3 Stories max. |
| OutBuilding<br>Backbuilding | 2 Stories max.<br>1 Story max. |

### Miscellaneous

Lakeshore frontage shall be considered a second Principal Frontage.

Loading, parking and service areas, overhead doors, and other service entries shall be screened by a building or Streetscreen from the Principal Frontage.

## 14.3.9-D - Lot Occupation & Building Placement

| | |
|---|---|
| Lot Coverage | 80% |
| Frontage Buildout | N/A |
| **Building Disposition** | **Standards** |
| Edgeyard | Section 14.6.3 |
| Sideyard | Section 14.6.3 |
| Rearyard | Section 14.6.3 |

### Setback (Distance from ROW/Lot Line)

| | |
|---|---|
| Front | |
| Principal Building | 5'min |
| Outbuilding | In third Lot Layer |
| Side | |
| Principal Building | 5'min. |
| Outbuilding | 5'min. |
| Rear | |
| Principal Building | 5' min. or 15' from rear Alley centerline |
| Outbuilding | 5' min. or 15' from rear Alley centerline |

### Waterfront Setback

(Distance from the lake mean high water mark - 100' msl)

| | |
|---|---|
| Principal Building | 50' min. |
| Outbuilding | 50' min. |

## 14.3.9-D - Lot Occupation & Building Placement

### Miscellaneous

See Section 4.5.4 (f) Special Flood Hazard Area regulations for specific requirements.

Fence materials shall not include barbed or razor wire. Chain link and wire fencing shall not be used along any Frontage Line. Woven cable fencing is allowed.

## 14.3.9-E- Parking, Loading & Services

### Required Spaces

No on-site parking required.

See Section 14.6.8 - (Supplemental to Form Districts - Parking, Loading, Service and Driveways) for parking specific requirements and Section 14.6.9 for bicycle parking standards.

### Location on the Lot

Parking Areas, Parking Lots and Garages shall be located in the Second or Third Lot Layer.

Parking Areas and Parking Lots must be Setback from side and rear Lot Lines by 3' min.

### Miscellaneous

At least one pedestrian exit from all Parking Lots, Parking Areas, Garages, and Parking Structures shall be directly to a Front-age Line (i.e., not directly into a Building).

## 14.3.9-F- Encroachments - Required Setbacks

| Encroachment Type | Front | Side | Rear |
|---|---|---|---|
| Signs | A | - | - |
| Steps to Building Entrance | A | A | A |
| Other Architectural Features | 3' max. | 3' max. | 3' max. |
| Landscaping | A | A | A |
| Fences or freestanding walls | A [1] | A [1] | A [2] |
| Driveways, Walkways | A | A | A |
| Utility Structures | A | A | A |

[1] 4' max. height.
[2] 6' max. height.

**Key**

| | |
|---|---|
| Encroachments Allowed: | A |
| Encroachments Not Allowed: | - |

## 14.3.9-H- Signs

| 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 |
| Nameplate | 14.6.10- H |
| Outdoor Display Case | 14.6.10- I |
| Wall | 14.6.10- J |
| Window | 14.6.10- K |

[1] 6' height max.

**Miscellaneous**

See Section 14.6.10 (Supplemental to Form Districts - Sign Standards) for specific requirements

## 14.3.9-I- Use Type SD

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 in the Form District.

| Transportation & Utilities | |
|---|---|
| Public Utility Facility | P |
| Rail Equip. Storage & Repair | P |

**Key**

| | |
|---|---|
| Permitted Use | P |
| Conditional Use | CU |

**End Notes**

[1]Only permitted south of Main Street.

[2]Parking Structures shall be located behind a Perimeter Building (see Section 14.4.13).

# Section 14.4: Specific to Building Types

## Subsections:


| | | | |
|---|---|---|---|
| 14.4.1 | Purpose | 14.4.8 | Multi-family: Small |
| 14.4.2 | Applicability | 14.4.9 | Multi-family: Large |
| 14.4.3 | Building Types General | 14.4.10 | Work/Live |
| 14.4.4 | Carriage House | 14.4.11 | Mixed-Use |
| 14.4.5 | Detached House | 14.4.12 | Perimeter |
| 14.4.6 | Duplex | 14.4.13 | Civic |
| 14.4.7 | Rowhouse | 14.4.14 | Flex |


## 14.4.1- Purpose

This Section sets forth the standards applicable to each building type. These standards supplement the standards for each 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 (Supplemental to Form Districts).

## 14.4.3- Building Types General

Table 14.4.3-A (Street Activation - Primary and Secondary Frontages) describes the required area of glazing and openings on a Facade.

Table 14.4.3-B (Building Types Summary Table) provides an overview of the permitted Building Types. The Building Types are not intended to indicate 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.

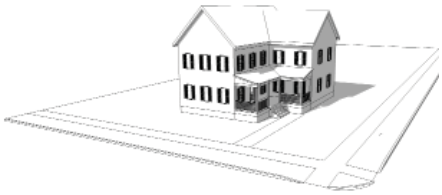
The following shall be applicable to all Building Types as indicated:

### 14.4.3-a- Street Activation - Primary and Secondary Facade

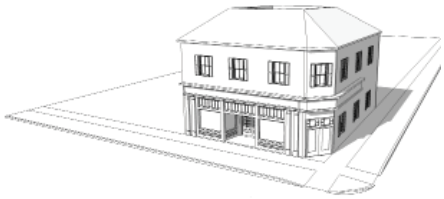
| | Building Types: *Carriage House, Detached House, Duplex, Rowhouse, Multi-Family: Small and Work-Live* | | Building Types: *Mixed-Use, Multi-Family: Large, Perimeter, and Flex* | |
|---|---|---|---|---|
| | Ground Floor | Upper Floors | Ground Floor | Upper Floors |
| Glazing, per floor<br>*Spandrel glass is not considered glazing* | 20% min | 15% min | 50% min | 20% min |
| Transparency, applicable to 80% of the glazing on each floor.<br>*(VLT - Visible Light Transmittance, VLR - Visible Light Reflectance)* | 60% VLT min<br>15% VLR max | 40% VLT min<br>15% VLR max | 60% VLT min<br>15% VLR max | 40% VLT min<br>15% VLR max |
| Distance between windows | | 35' | | 20' |

[1] Additional requirements shall be as required based on the Frontage Type. Otherwise may be reduced to within 10% of prescriptive limit where required by the Residential or Commercial Energy Code.

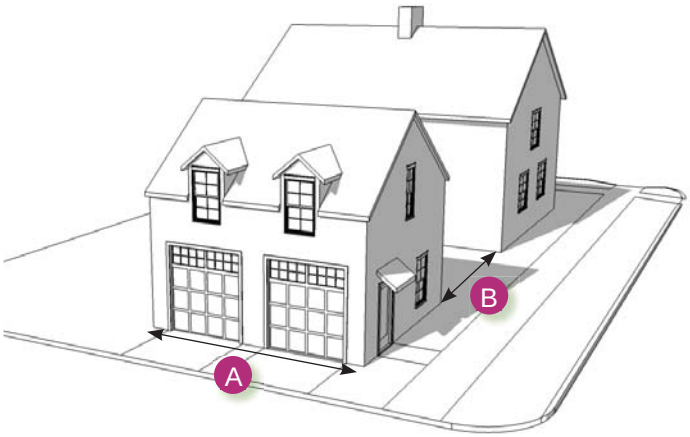
## Table 14.4-B - Building Types Summary Table [not-regulatory]

| Building Type | | Form Districts |
|---|---|---|
| | **Carriage House:** An Accessory Building located at the rear of a Lot with Access to a rear Alley or through the front of the Lot. It typically provides either an Accessory residential unit or space for a Home Occupation above a garage and/or at ground level. | FD4 |
|  | **Detached House:** A detached building having an Edgeyard or Sideyard yard type that may be shared with an Accessory Structure in the backyard. This building type typically incorporates a single residential unit. | FD4 |
| | **Duplex:** A single building mass that consists of two narrow to medium sized units attached to one other by a party wall or stacked vertically, with individual entries facing the street. This building type may sit on one or two lots that may have an Edgeyard, Rearyard or Sideyard Type. | FD4<br>FD5 |
| | **Rowhouse:** A very narrow to medium sized building attached to other by a party wall with a Rearyard yard type (or Sideyard as an end unit) that consists of side by side units with individual entries facing the street. | FD4<br>FD5<br>FD5-AI<br>FD6 |
| | **Multifamily- Small:** A Building with an Edgeyard, Sideyard or Rearyard yard type that consists of side-by-side and/or stacked units, typically with one or more shared entries. This building type may have the appearance of a medium to large size family home. | FD4<br>FD5 |
| | **Multifamily- Large:** A Building with an Edgeyard, Sideyard or Rearyard yard type that consists of side-by-side and/or stacked units, typically with one or more shared entries. | FD5<br>FD5-AI<br>FD6 |

## Table 14.4-B - Building Types Summary Table [not-regulatory]

| Building Type | | Form Districts |
|---|---|---|
| | **Work/Live:** A small to medium-sized attached or detached Structure that consists of a flexible space used for artisan, studio, service, or retail uses, and a residential unit above and/or behind. Both the flex space and the residential unit are internally connected and occupied by a single entity. This type is appropriate for providing affordable and flexible mixed-use space for incubating neighborhood-serving retail and service uses, artists and other craftspeople. | FD5<br>FD5-AI |
|  | **Mixed-Use:** A typically attached building that provides a vertical and/or horizontal mix of uses designed to facilitate pedestrian-oriented retail, hospitality or service uses on the ground floor, with upper floors typically designed for residential or office uses. | FD4<br>FD5<br>FD5-A<br>FD5-PT<br>FD6 |
| | **Perimeter Building:** A Building that is always associated with and lines a Parking Structure or Parking Lot. It may include Residential, Office and/or other Principal Uses allowed in the applicable Form District. | FD5<br>FD5-AI<br>FD6 |
| | **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, churches, courthouses, schools, centers of government, performing arts, and museums. They are often the most prominently sited and architecturally Significant Structures in the community. | FD4<br>FD5<br>FD5-AI<br>FD5-PT<br>FD6 |
| | **Flex:** A medium to large sized building built on a large Lot that may incorporate structured parking underground. It is designed to accommodate a vertical mix of uses with ground-floor retail, service, or industrial uses and upper-floor service, office or residential uses; or may be a single-use building, typically retail, industrial, or service, where ground floor retail is not appropriate. | FD5-AI |

# 14.4.4 - Carriage House




## 14.4.4-A - Description

| Description | Allowed In |
|---|---|
| Carriage House: An Accessory Building located at the rear of a Lot with Access to a rear Alley or through the front of the Lot. It typically provides either an Accessory residential unit or space for a Home Occupation above a garage and/or at ground level. | FD4 |

## 14.4.4-B - Lot

Only allowed on Lots where the main Principal Building is one of the following building types: Detached House: Small, Detached House: Large, Duplex, Rowhouses.

## 14.4.4-C - Number of Units

| | |
|---|---|
| Units per building | 2 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 have a frontage type.

## 14.4.4-F - Pedestrian Access

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

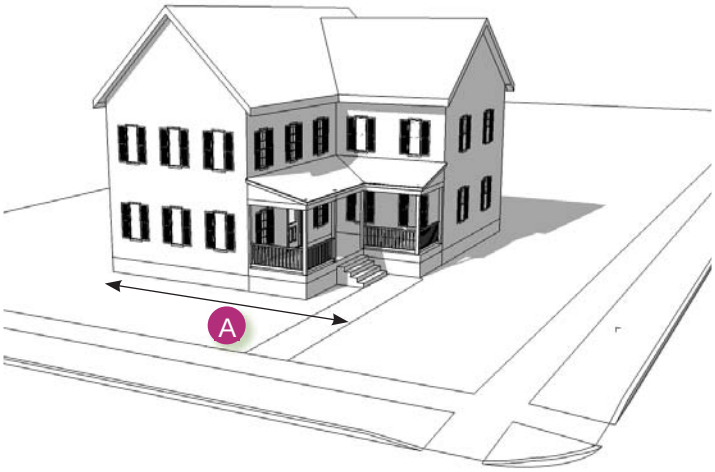
The main entrance shall be separated from the garage door(s).

## 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.*

# 14.4.5 - Detached House




## 14.4.5-A - Description

| Description | Allowed In |
|---|---|
| Detached House: A detached building having an Edgeyard or Sideyard yard type that may be shared with an Accessory Structure in the backyard. This building type typically incorporates a single residential unit. | FD4 |

## 14.4.5-B - Lot

| | |
|---|---|
| Width | 60' max. |

## 14.4.5-C - Number of Units

| | |
|---|---|
| Units per building | 1 max.[1] |

[1] 1 accessory unit also permitted. See Section 14.6.7-e.

## 14.4.5-D - Building Size and Massing

### Height

2 Stories max.

### Building Footprint

| | | |
|---|---|---|
| Width | 48' max | A |

## 14.4.5-E - Allowed Frontage Types

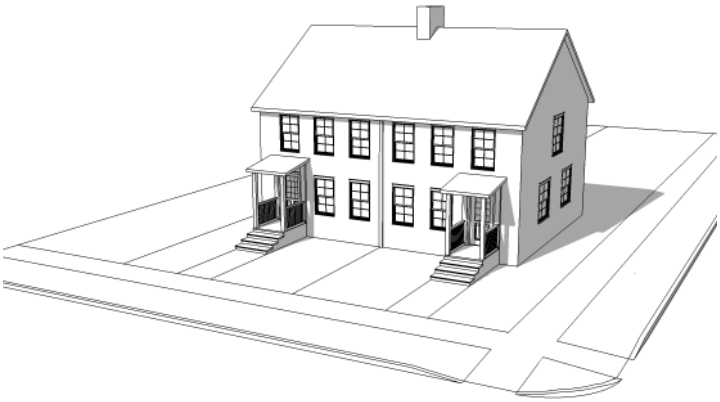
| | |
|---|---|
| Porch: Projecting | Section 14.5.4 |
| Porch: Engaged | Section 14.5.5 |
| Porch: Integral | Section 14.5.6 |
| Stoop | Section 14.5.7 |
| Doorway | Section 14.5.10 |

## 14.4.5-F - Pedestrian Access

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

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

# 14.4.6 - Duplex



## 14.4.6-A - Description

| Description | Allowed In |
|---|---|
| Duplex: A single building mass that consists of two narrow to medium sized units attached to one other by a party wall or stacked vertically, with individual entries facing the street. This building type may sit on one or two lots that may have an Edgeyard, Rearyard or Sideyard Type. | FD4<br>FD5 |

## 14.4.6-B - Lot

| | |
|---|---|
| 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 mass | 2 max. |

## 14.4.6-D - Building Size and Massing

### Height

2 stories max.

### Building Footprint

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

## 14.4.6-E - Allowed Frontage Types[1]

| | |
|---|---|
| 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 |

[1] Only one frontage type shall be used, but the frontage type may be duplicated for each unit entry.

## 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.

[1]On 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

| Description | Allowed In |
|---|---|
| Rowhouse: A very narrow to medium sized building attached to others by a party wall with a Rearyard yard type (or Sideyard as an end unit) that consists of side by side units with individual entries facing the street. | FD4<br>FD5<br>FD5-A<br>FD6 |

## 14.4.7-B - Lot

| | |
|---|---|
| Width | 12' min. - 36' max. |

## 14.4.7-C - Number of Units

| | |
|---|---|
| Unit per Rowhouse | 1 max. |
| Rowhouses per run | 3 min. - 10 max. |

## 14.4.7-D - Building Size and Massing

### Height

3 stories max.

### Building Footprint

| | |
|---|---|
| Width per rowhouse | 12' min. - 36' max. |

## 14.4.7-E - Allowed Frontage Types[1]

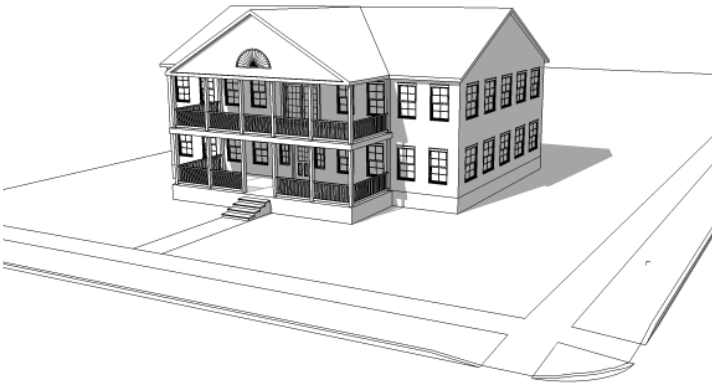
| | |
|---|---|
| Porch: Projecting | Section 14.5.4 |
| Porch: Engaged | Section 14.5.5 |
| Porch: Integral | Section 14.5.6 |
| Stoop | Section 14.5.7 |
| Dooryard | Section 14.5.9 |
| Doorway | Section 14.5.10 |
| Lightwell & Landing | Section 14.5.11 |

## 14.4.7-F - 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

| Description | Allowed In |
|---|---|
| Multi-Family: A Building with an Edgeyard or Sideyard yard type that consists of side-by-side and/or stacked units, typically with one or more shared entries. This building type may have the appearance of a medium to large size family home. | FD4<br>FD5 |

## 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. - 3 Stories max.

### Building Footprint

| | |
|---|---|
| Width | 36' min. - 48' max. |

## 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 |
| Forecourt | Section 14.5.8 |
| Dooryard | Section 14.5.9 |
| Doorway | Section 14.5.10 |
| Lightwell & Landing [1] | Section 14.5.11 |

[1] Only allowed in situations where the slope prevents at grade entry of the building.

## 14.4.8-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 - Multi-Family-Large

## 14.4.9-A - Description

| Description | Allowed In |
|---|---|
| Multi-Family: A Building with an Edgeyard, Sideyard and Rearyard yard type that consists of side-by-side and/or stacked units, typically with one or more shared entries. | FD5<br>FD5-AI<br>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

Per Form District standards in Section 14.3 (Specific To Form Districts).

## 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 |
| Forecourt | Section 14.5.8 |
| Dooryard | Section 14.5.9 |
| Doorway | Section 14.5.10 |
| Lightwell & Landing [1] | Section 14.5.11 |

[1] Only allowed in situations where the slope prevents at grade entry of 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.*

# 14.4.10 - Work/Live

## 14.4.10-A - Description

Work/Live: is a small to medium-sized attached or detached Structure that consists of a flexible space used for artisan, studio, service, or retail uses, and a residential unit above and/or behind. Both the flex space and the residential unit are internally connected and occupied by a single entity. This type is appropriate for providing affordable and flexible mixed-use space for incubating neighborhood-serving retail and service uses, artists and other craftspeople.

## Allowed In

FD5
FD5-AI

## 14.4.10-B - Number of Units

| | |
|---|---|
| Units per building | 1 max. |

## 14.4.10-C - Building Size and Massing

### Height

2 Stories max.

### Building Footprint

| | |
|---|---|
| Width | 18' min. - 36' max. |

## 14.4.10-D - Allowed Frontage Types

| | |
|---|---|
| Stoop | Section 14.5.7 |
| Dooryard | Section 14.5.9 |
| Doorway | Section 14.5.10 |
| Lightwell & Landing | Section 14.5.11 |
| Shopfront | Section 14.5.12 |
| Terrace Shopfront | Section 14.5.13 |
| Officefront | Section 14.5.14 |

## 14.4.10-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.*

# 14.4.11 - Mixed-Use

## 14.4.11-A - Description

| Description | Allowed In |
|---|---|
| Mixed-Use: a typically attached building that provides a vertical mix of uses designed to facilitate pedestrian-oriented retail, hospitality or service uses on the ground floor, with upper floors typically designed for residential or office uses. | FD4<br>FD5<br>FD5-AI<br>FD5-PT<br>FD6 |

## 14.4.11-B - Number of Units

| | |
|---|---|
| Units per building | 2 min. |

## 14.4.11-C - Building Size and Massing

### Height & Building Footprint Width

Per Form District standards in Section 14.3 (Specific To Form Districts).

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

## 14.4.11-D - Allowed Frontage Types

| | |
|---|---|
| Stoop | Section 14.5.7 |
| Forecourt | Section 14.5.8 |
| Dooryard | Section 14.5.9 |
| Doorway | Section 14.5.10 |
| Lightwell & Landing [1] | Section 14.5.11 |
| Shopfront | Section 14.5.12 |
| Terrace | Section 14.5.13 |
| Officefront | Section 14.5.14 |
| Gallery [1] | Section 14.5.15 |
| Arcade [1] | Section 14.5.16 |

[1] Shall be used in combination with a Shopfront or Officefront frontage type.

## 14.4.11-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.

# 14.4.12 - Perimeter Building

## 14.4.12-A - Description

| Description | Allowed In |
|---|---|
| Perimeter Building: A Building that is always associated with and lines a Parking Structure or Parking Lot. It may include Residential, Office and/or other Principal Uses allowed in the applicable Form District. | FD5<br>FD5-AI<br>FD6 |

## 14.4.12-B - Number of Units

| | |
|---|---|
| Units per building | 2 min. |

## 14.4.12-C - Building Size and Massing

### Height

Per Form District standards in Section 14.3 (Specific To Form Districts).

The height of a Parking Structure concealed by a Perimeter Building may be equal to the height of the Perimeter Building; this may result in a Perimeter Building Story concealing more than one level of Parking.

### Building Footprint

| | |
|---|---|
| Width | Minimum - Entire width of the Parking Structure at the frontage |
| Depth | 20' min. |

## 14.4.12-D - Allowed Frontage Types

| | |
|---|---|
| Stoop | Section 14.5.7 |
| Dooryard | Section 14.5.9 |
| Lightwell & Landing[1] | Section 14.5.11 |
| Shopfront | Section 14.5.12 |
| Terrace Shopfront | Section 14.5.13 |
| Office | Section 14.5.14 |
| Gallery[1] | Section 14.5.15 |
| Arcade[1] | Section 14.5.16 |

[1] May only be used in combination with a shopfront or Officefront frontage type.

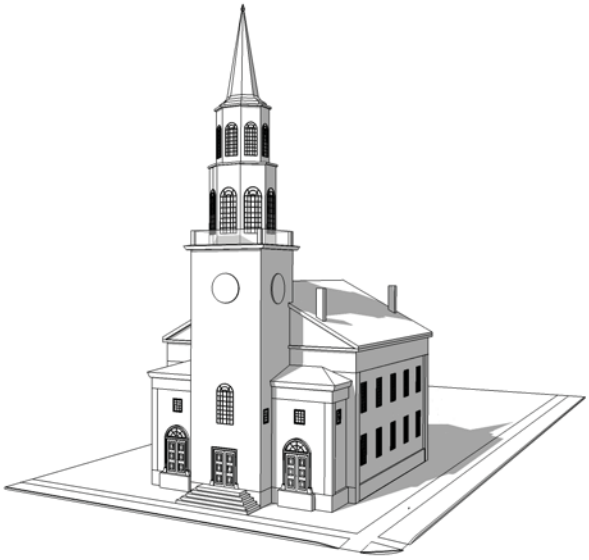
## 14.4.12-E - Pedestrian Access

| | |
|---|---|
| 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.

# 14.4.13 - Civic



## 14.4.13-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, churches, courthouses, schools, centers of government, performing arts, and museums. They are often the most prominently sited and architecturally Significant Structures in the community.

## Allowed In

FD4
FD5
FD5-AI
FD5-PT
FD6

## 14.4.13-B - Number of Units

Not applicable

## 14.4.13-C - Building Location, Size and Massing

The Front Setback of Civic Buildings in any Form District shall be between 0 and that number of feet which is equal to 50% of the depth of the Lot.

Form District standards in Section 14.3 (Specific To Form Districts) do not apply.

## 14.4.13-D - Allowed Frontage Types

Frontage Types standards in Section 14.5 (Specific to Frontage Types) do not apply.

## 14.4.13-E - Pedestrian Access

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

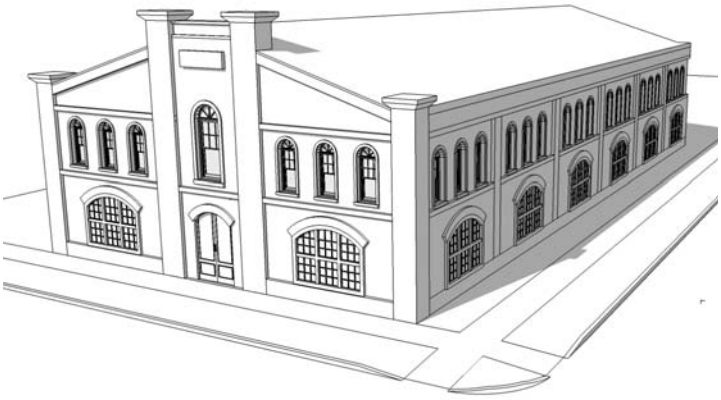
Civic buildings are not subject to the requirements of Section 14.3 (Specific to Form Districts) with regard to building form, Lot occupation and building placement. They are also not subject to the requirements of Section 14.5 (Specific to Frontage Types).

The design and form of Civic Buildings shall be determined after consultation with the Planning Department, consideration and recommendation of the Design Advisory Board and approval by the Development Review Board.

The height of Civic Buildings shall be limited to one additional Story above the maximum allowed height in the applicable Form District, plus the height of architectural elements described in Table 14.6.5-B.

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

# 14.4.14 - Flex



## 14.4.14-A - Description

Flex: a medium to large sized building built on a large Lot that may incorporate structured Parking underground. It is designed to accommodate a vertical mix of uses with ground-floor retail, service, or industrial uses and upper-floor service, office or residential uses; or may be a single-use building, typically retail, industrial, or service, where ground floor retail is not appropriate

## Allowed In

FD5-AI

## 14.4.14-B - Number of Units

Unrestricted

## 14.4.14-C - Building Size and Massing

### Height

1 Story min. - 3 stories max.

### Building Footprint

| | |
|---|---|
| Width | 150' max. |

## 14.4.14-D - Allowed Frontage Types

| | |
|---|---|
| Shopfront | Section 14.5.13 |
| Terrace Shopfront | Section 14.5.14 |
| Officefront | Section 14.5.15 |

## 14.4.14-E - Pedestrian Access

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

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

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

# Section 14.5: Specific to Private Frontage Types

## SubSections:


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


## 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 having a Building Frontage requirement, in addition to the standards found in Section 14.3 (Specific to Form Districts) and Section 14.4 (Specific to Building Types).

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).

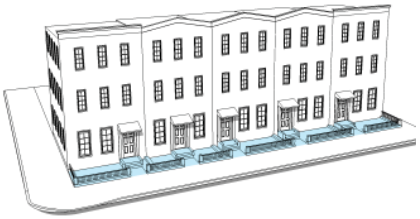
## 14.5.3 - Frontage Types General

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

a) Pedestrians shall be provided one or more direct and unobstructed paths between a public sidewalk and the primary building entrance.

## 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 planted Frontage wherein the Facade is set back from the Frontage Line with an attached porch permitted to Encroach into the First Lot Layer. This may be used with or without a fence to maintain street spatial definition. | |
| **14.5.5 - Porch: Engaged:** A planted Frontage wherein the Facade is set back from the Frontage Line with an engaged porch that has two Adjacent sides that are engaged to the building while two sides are open. This may be used with or without a fence to maintain street spatial definition. | |
| **14.5.6 - Porch: Integral:** An integral porch is open on one, two or three sides and is part of the overall massing and roof form of the building, making it impossible to remove the porch without major changes to the overall roof form. This may be used with or without a fence to maintain street spatial definition. | |
| **14.5.7 - Stoop:** A Frontage wherein the Facade is aligned close to the Frontage Line with the first Story elevated from the Sidewalk sufficiently to secure privacy for the windows. The entrance is usually an exterior stair and landing. This type is recommended for ground-floor Residential use. | |
| **14.5.8 - Forecourt:** A Frontage wherein a portion of the Facade is close to the Frontage Line and the central portion is set back. The Forecourt creates an intimate gathering space for the residents or additional shopping or restaurant seating area within retail and service areas. This type should be used sparingly and may be allocated in conjunction with other Frontage types. | |
| **14.5.9 - Dooryard:** A frontage type where the main façade of the building is set back a small distance and the frontage line is defined by a low wall, decorative fence or hedge, creating a small dooryard. The dooryard shall not provide public circulation along a ROW. The dooryard may be raised, sunken, or at grade and is intended for ground-floor residential. |  |

### 14.5.10 - Doorway:

A frontage type where the main façade of the building is at or set back a small distance from the frontage line. The vestibule typically provides an at grade entry.

### 14.5.11 - Lightwell & Landing:

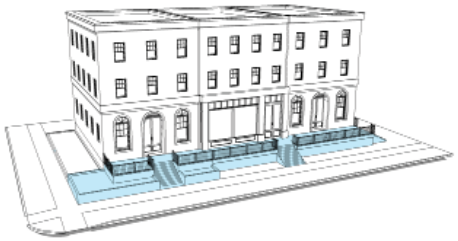
A Frontage where the Facade is set back from the Frontage line by an elevated landing and/or a sunken Lightwell. This type buffers residential, retail or service uses from urban Sidewalks and allows for activation of below grade space.

### 14.5.12 - Shopfront:

A Frontage wherein the Facade is aligned close to or at the Frontage Line with the building entrance at Sidewalk grade. This type is conventional for Retail or Hospitality use. It has a substantial glazing on the Sidewalk level and may include an awning that may over-lap the Sidewalk.

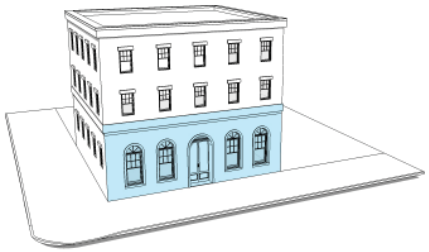
### 14.5.13 - Terrace:

A Frontage type where the façade is at or near the frontage line with an elevated terrace providing public circulation along the façade. This type can be used to provide at-grade Access while accommodating a grade change. Frequent steps up to the terrace are necessary to avoid dead walls and maximize Access.



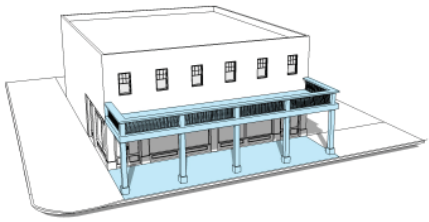
### 14.5.14 - Officefront:

A Frontage wherein the Facade is aligned close to or at the Frontage Line with the building entrance at Sidewalk grade. This type is conventional for Retail or Hospitality use. It has a substantial glazing on the Sidewalk level and may include an awning that may over-lap the Sidewalk.



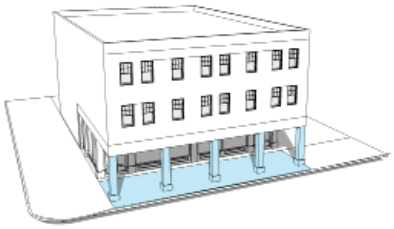
### 14.5.15 - Gallery:

A Frontage wherein the Facade is aligned close to the Frontage line with an attached cantilevered shed or a lightweight colonnade. This type is intended for buildings with ground floor commercial or retail uses and may be one or two stories.

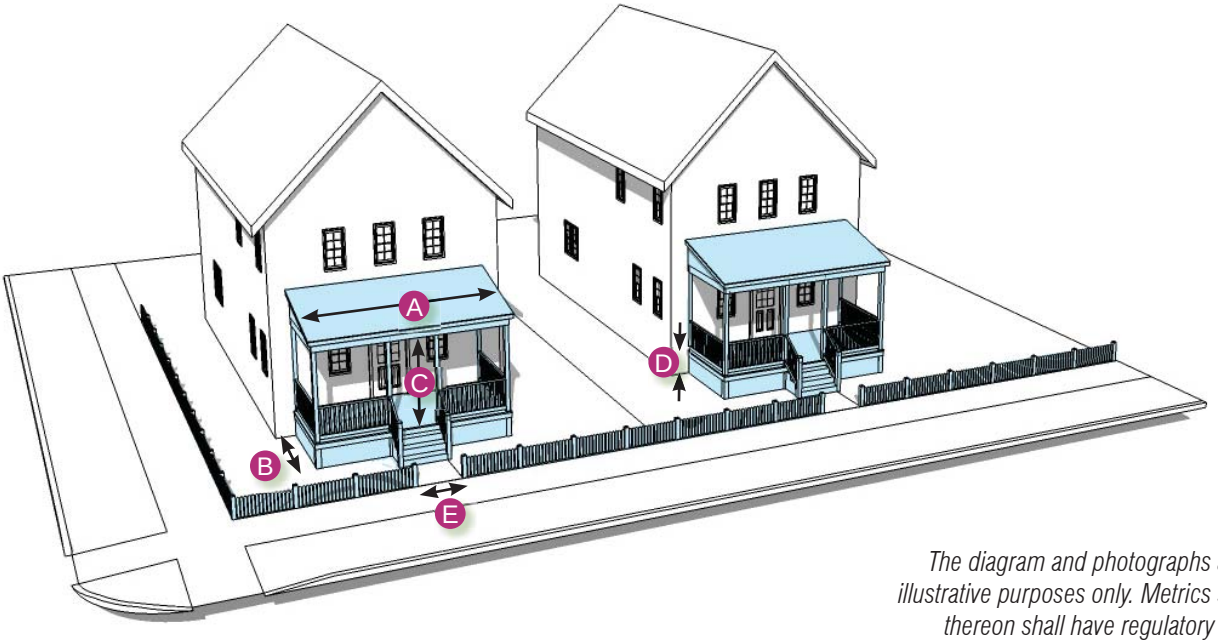


### 14.5.16 - Arcade:

A colonnade supporting habitable space where the façade is set back from the frontage line and the arcade meets the Sidewalk.



# 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 planted Frontage wherein the Facade is set back from the Frontage Line with an attached porch permitted to Encroach into the First Lot Layer. This may be used with or without a fence to maintain street spatial definition.

## 14.5.4-B - Allowed With

| | |
|---|---|
| Detached House | Multi-Family: Small |
| Duplex | Multi-Family: Large |
| Rowhouse | |

## 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 |

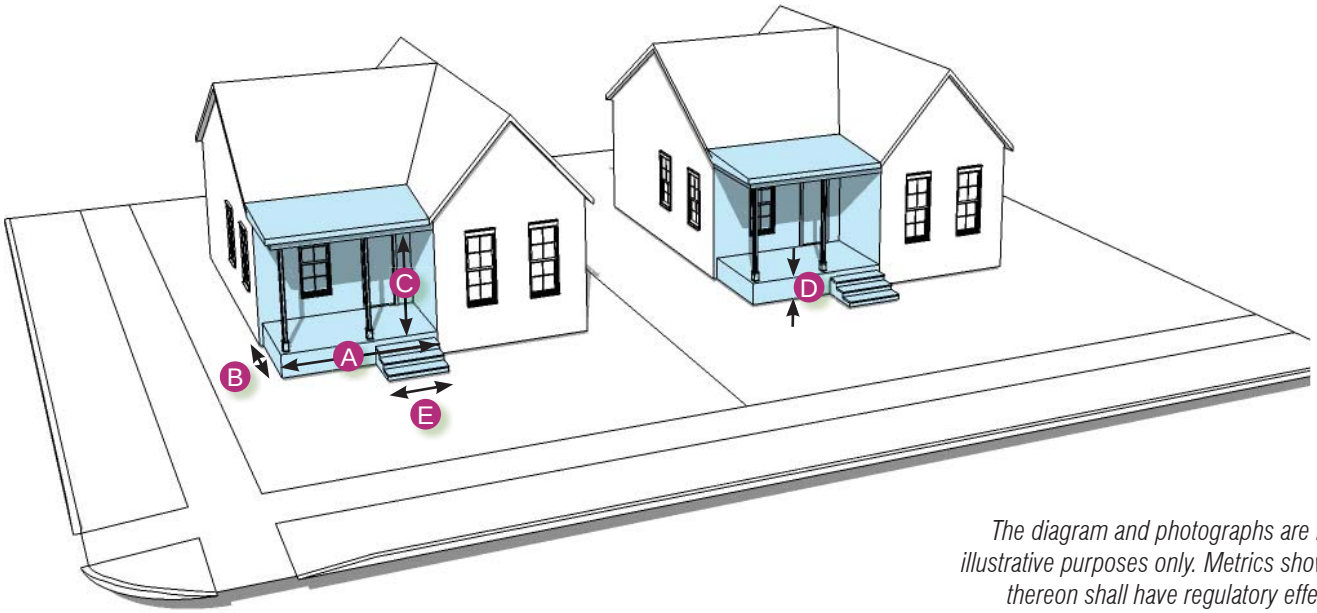
## 14.5.4-D - Miscellaneous

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

Projecting porches are allowed to Encroach within the First Lot Layer to the Frontage Line.

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 planted Frontage wherein the Facade is set back from the Frontage Line with an engaged porch that has two Adjacent sides that are engaged to the building while two sides are open. This may be used with or without a fence to maintain street spatial definition.

## 14.5.5-B - Allowed With

| | |
|---|---|
| Detached House | Multi-Family: Small |
| Duplex | Multi-Family: Large |
| Rowhouse | |

## 14.5.5-C - Standards

| | | |
|---|---|---|
| Width | 6' min - 8' max | A |
| Depth | 6' min - 8' max | 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 |

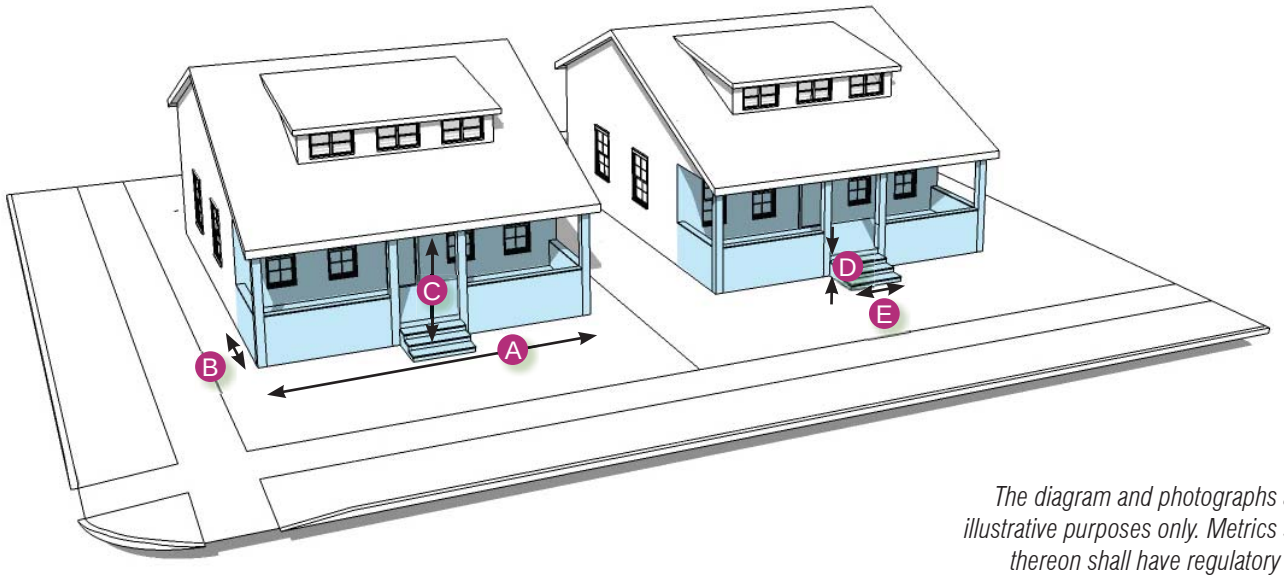
## 14.5.5-D - Miscellaneous

Engaged porches must have two sides and have a roof, and may not be enclosed.

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 integral porch is open on one, two or three sides and is part of the overall massing and roof form of the building, making it impossible to remove the porch without major changes to the overall roof form. This may be used with or without a fence to maintain street spatial definition.

## 14.5.6-B - Allowed With

Detached House
Duplex
Multi-Family: Small

## 14.5.6-C - Standards

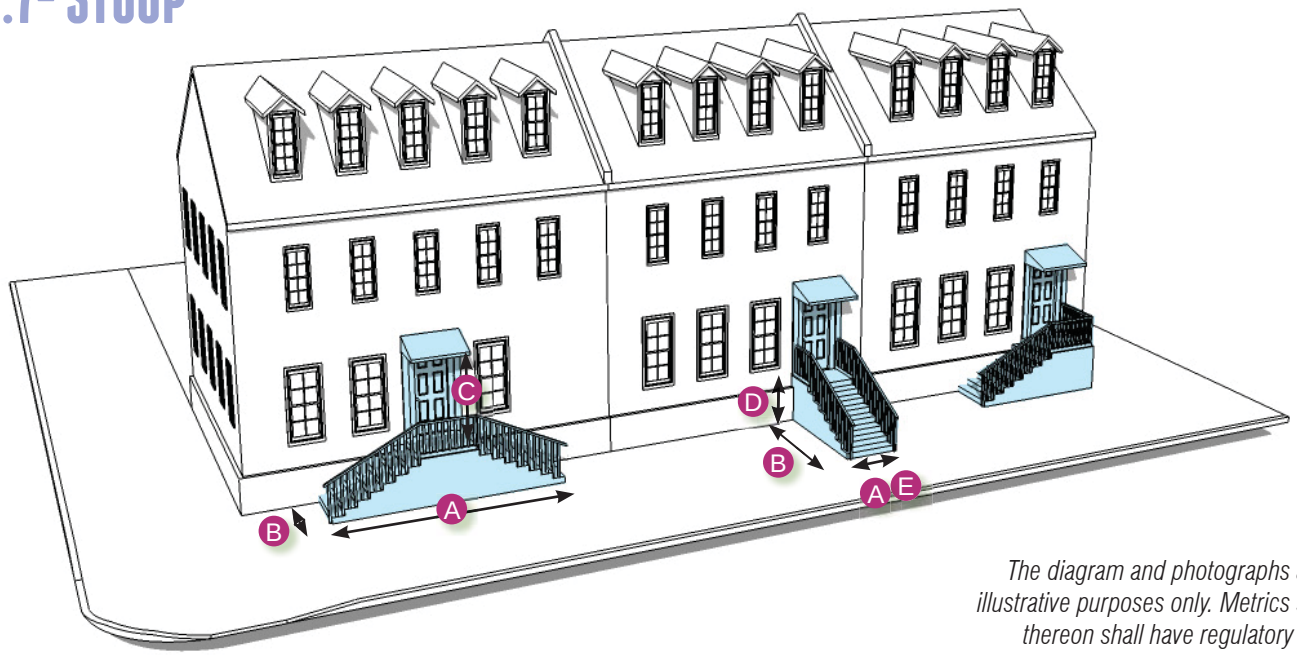
| | | |
|---|---|---|
| Width | 10' min | A |
| Depth | 6' min. | B |
| Height, Clear | 8' min. | C |
| Height | 2 stories max. | |
| Finish Level above Sidewalk | 18" min. | D |
| Path of Travel | 3' wide min. | E |

## 14.5.6-D - Miscellaneous

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

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 Frontage wherein the Facade is aligned close to the Frontage Line with the first Story elevated from the Sidewalk sufficiently to secure privacy for the windows. This type incorporates an exterior stair and small landing, and is common for ground-floor Residential use.

## 14.5.7-B - Allowed With

| | |
|---|---|
| Detached House | Multi-Family: Large |
| Duplex | Work/Live |
| Rowhouse | Mixed-Use |
| Multi-Family: Small | |

## 14.5.7-C - Standards

| | | |
|---|---|---|
| Width | 4" min. - 8' max. | A |
| Depth | 3' min. - 6' max. | B |
| Height, Clear | 8' min. | C |
| Height | 1 Story max. | |
| 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.

All doors must face the street.

Stoops are allowed to Encroach within the First Lot Layer to the frontage line.

# 14.5.8 - Forecourt

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

## 14.5.8-A - Description

A Frontage wherein a portion of the Facade is close to the Frontage Line and the central portion is set back. The Forecourt creates an intimate gathering space for residents or additional shopping or restaurant seating areas. This type should be used sparingly and may be allocated in conjunction with other Frontage types.

## 14.5.8-B - Allowed With

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

## 14.5.8-C - Standards

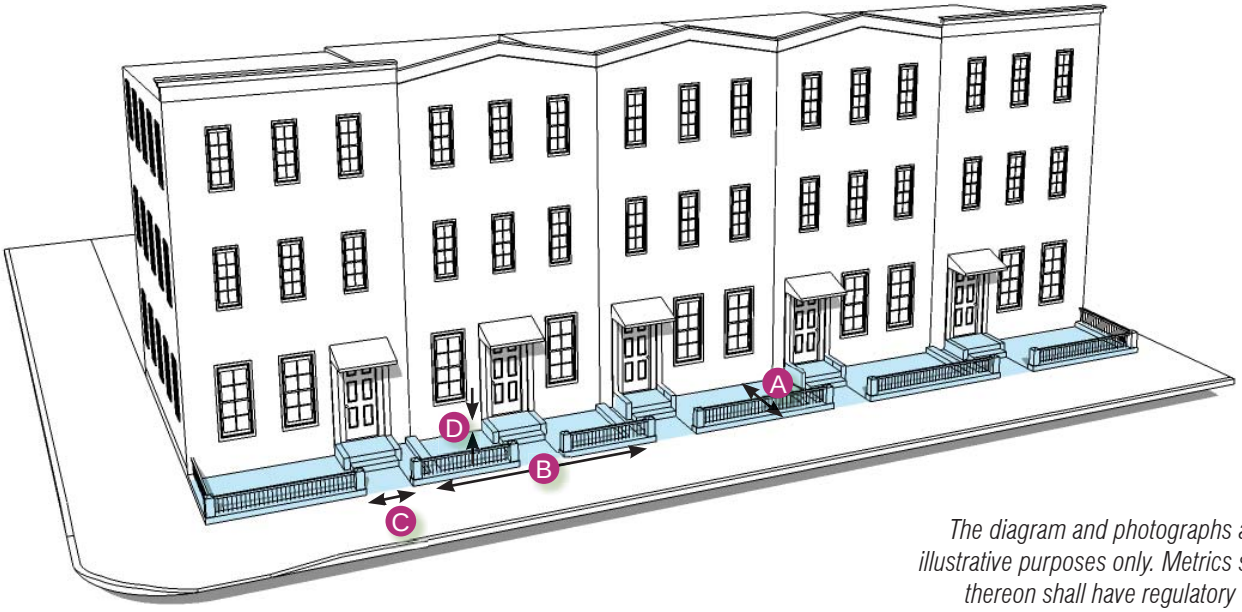
| | | |
|---|---|---|
| Width | 12' min. | A |
| Depth | 12' min. | B |
| Ratio, Building Height to Forecourt Width | 2:1 max. | |

## 14.5.8-D - Miscellaneous

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 Forecourt Frontage Type standards shall prevail.

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

# 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 Frontage type where the main Facade of the building is set back a small distance and the frontage line is defined by a low wall, decorative fence or hedge, creating a small dooryard. The dooryard shall not provide public circulation along a ROW. The dooryard may be raised, sunken, or at grade and is typically intended for ground-floor residential.

## 14.5.9-B - Allowed With

| | |
|---|---|
| Rowhouse | Work/Live |
| Multi-Family: Small | Mixed-Use |
| Multi-Family: Large | Perimeter Building |

## 14.5.9-C - Standards

| | | |
|---|---|---|
| Depth, Clear | 8' min. | A |
| Length | Equal to the width of the Facade min.<br>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. | |

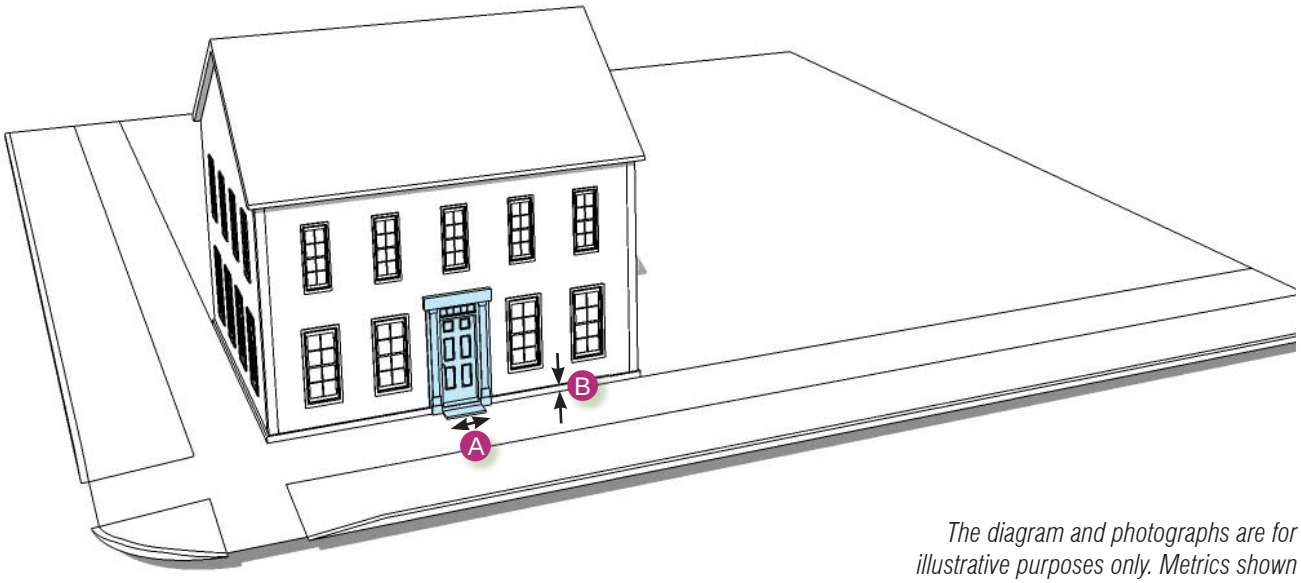
## 14.5.9-D - Miscellaneous

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

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.

# 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 Frontage where the main Facade of the building is at or set back a small distance from the frontage line. The doorway may be raised or at grade, and is typically intended for ground-floor residential.

## 14.5.10-B - Allowed With

| | |
|---|---|
| Detached House | Multi-Family: Small |
| Duplex | Multi-Family: Large |
| Rowhouse | |

## 14.5.10-C - Standards

| | | |
|---|---|---|
| Depth of recessed entries | 5' max. | |
| Path of travel | 3' wide min. | A |
| Finish level above Sidewalk | 48" 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 Frontage where the Facade is set back from the Frontage line by an elevated landing and/or sunken Lightwell. This type buffers residential, retail or service uses from urban Sidewalks and allows for activation of below grade space.

## 14.5.11-B - Allowed With

| | |
|---|---|
| Rowhouse | Work/Live |
| Multi-Family: Small | Mixed-Use |
| Multi-Family: Large | Perimeter Building |

## 14.5.11-C - Standards

| | | |
|---|---|---|
| Height | | |
| Landing (above Sidewalk) | 6' max. | A |
| Lightwell (below Sidewalk) | 6' max. | B |
| Depth, Clear | 5' min. | C |
| 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.

# 14.5.12 - Shopfront

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

## 14.5.12-A - Description

A Frontage wherein the Facade is aligned close to or at the Frontage Line with the building entrance at Sidewalk grade. This type is conventional for street level Retail or Hospitality use. It has substantial glazing on the Sidewalk level and may include an awning that overlaps the Sidewalk.

## 14.5.12-B - Allowed With

| | |
|---|---|
| Work/Live | Flex |
| Mixed Use | Perimeter Building |

## 14.5.12-C - Standards

| | | |
|---|---|---|
| Distance between glazing | 2' max. | A |
| Sill Height | 3' max. | |
| Ground floor glazing | 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 Frontage | B |

## 14.5.12-D - Miscellaneous

Shopfronts with accordion-style doors/windows or other operable windows that allow the space to open to the street are encouraged.

See Section 14.6.10 (Supplemental to Form Districts - Sign Standards) for Signs and awnings requirements.

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

A separate entrance to upper stories is allowed.

The following Architectural Standards shall be applicable to Buildings with a Shopfront Private Frontage in all Form Districts:

a) One continuous load-bearing beam shall carry the entire load of the Facade to the partition walls so that the Facade may be changed with no structural impediment.

b) Internal structural support to allow back bolting installation of Signs and awnings shall be provided whether or not Signs or awnings are installed at the time of initial construction.

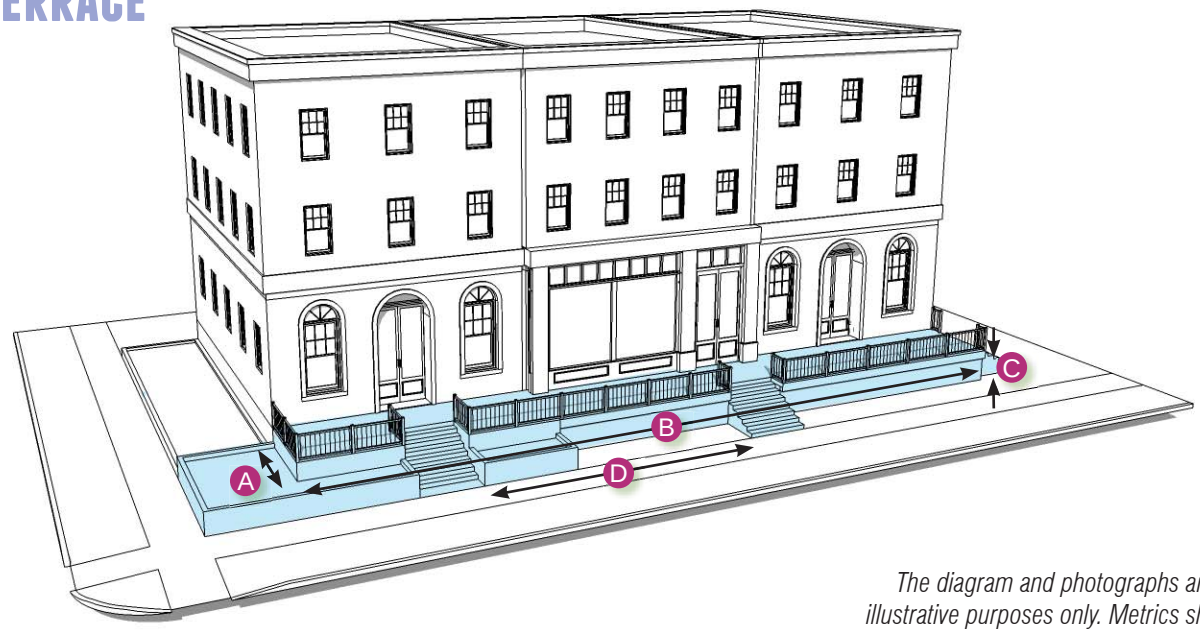
c) Any Frontage Setbacks shall be paved to match the Sidewalk.

d) Shopfront doors, windows, awnings, Signage and lighting shall be designed as a unified whole.

e) Displays within shopfront windows may not be enclosed or encased so taht they obstruct the view of the activity behind.

g) External security shutters are not permitted.

# 14.5.13- Terrace




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

## 14.5.13-A - Description

A Frontage type where the Facade is at or near the frontage line with an elevated terrace providing public circulation along the Facade. This type can be used to prvide at-grade Access while accommodating a grade change. Frequent steps up to the terrace are necessary to avoid dead walls and maximize Access.

## 14.5.13-B - Allowed With

| | |
|---|---|
| Multi-Family: Small | Mixed-Use |
| Multi-Family: Large | Flex |
| Work/Live | Perimeter Building |

## 14.5.13-C - Standards

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

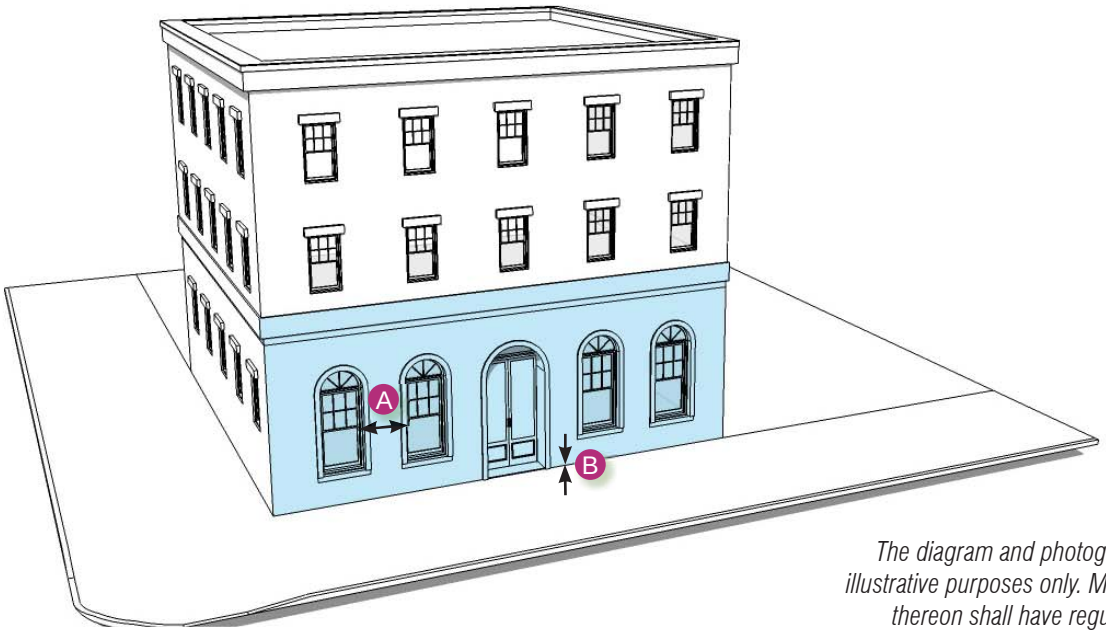
## 14.5.13-D - Miscellaneous

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

Low walls used as seating are encouraged.

Terrace is allowed to Encroach within the First Lot Layer to the Frontage Line.

# 14.5.14 - Officefront




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

## 14.5.14-A - Description

A Frontage wherein the Facade is aligned close to or at the Frontage Line with the building entrance at Sidewalk grade. This type is conventional for Retail or Hospitality use. It has substantial glazing on the ground floor level and may include awnings that may overlap the Sidewalk.

## 14.5.14-B - Allowed With

| | |
|---|---|
| Work/Live | Flex |
| Mixed Use | Perimeter Building |

## 14.5.14-C - Standards

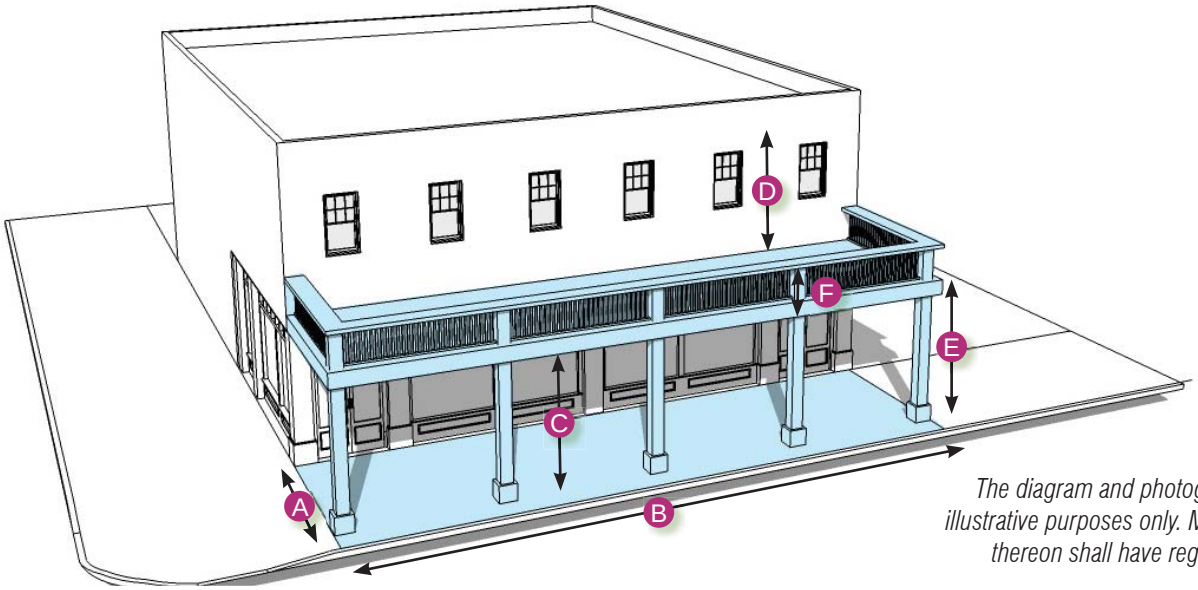
| | | |
|---|---|---|
| Distance between glazing | 4' max. | A |
| Ground floor glazing | 50% min. between 3' and 10' above the Principal Entrance level | |
| Depth of recessed entries | 5' max. | |
| Principal Entrance level | At grade | B |

## 14.5.14-D - Miscellaneous

Awnings are allowed with Officefront frontage type. See Section 14.6.10 (Supplemental to Form Districts - Sign Standards) for Signs and awnings requirements.

Doors may be recessed as long as main Facade is at the required Setback.

# 14.5.15- Gallery




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

## 14.5.15-A - Description

A Frontage wherein the Facade is aligned close to the Frontage Line with an attached cantilevered shed or a lightweight collonade. This type is intended for buildings with ground floor commercial or retail uses and may be one or two stories.

## 14.5.15-B - Allowed With

| | |
|---|---|
| Mixed-Use | Perimeter Building |
| Flex | |

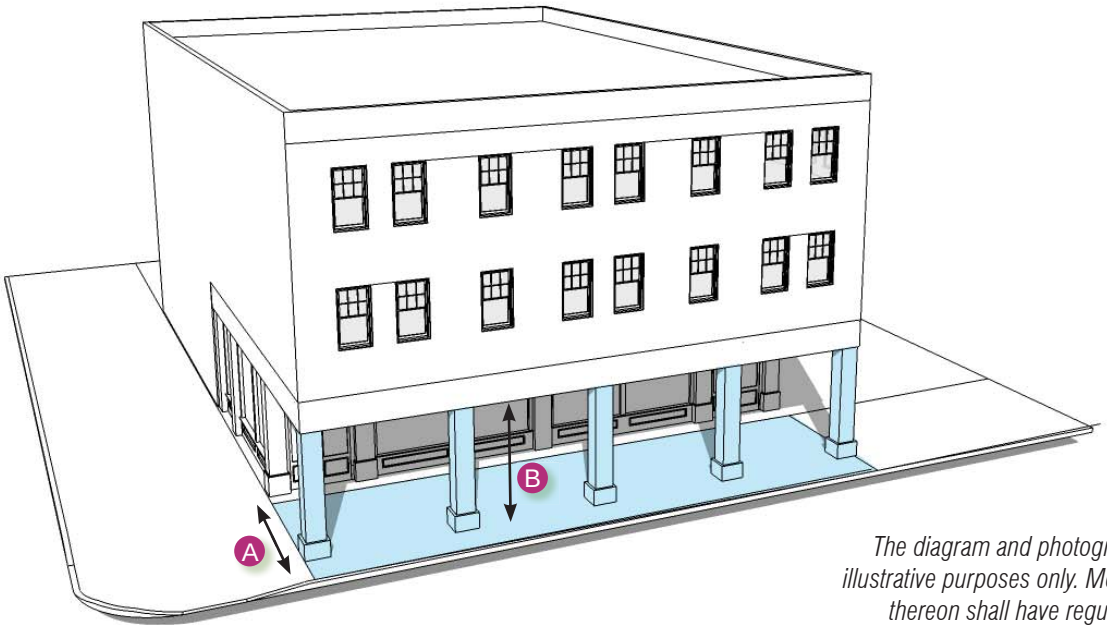
## 14.5.15-C - Standards

| | | |
|---|---|---|
| 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 |

## 14.5.15-D - Miscellaneous

| |
|---|
| These standards may be used in conjunction with those for the Shopfront or Doorway Frontage Types. |
| 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. |

# 14.5.16 - Arcade




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

## 14.5.16-A - Description

A colonnade supporting habitable space where the Facade is set back from the frontage line and the arcade meets the Sidewalk.

## 14.5.16-B - Allowed With

| | |
|---|---|
| Mixed-Use | Perimeter Building |
| Flex | |

## 14.5.16-C - Standards

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

## 14.5.16-D - Miscellaneous

Arcades shall also follow all of the regulations for the 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.

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# Section 14.6: Supplemental to 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 | Civic Spaces Standards |
| 14.6.6 | Historic Building and Districts | 14.6.14 | Stormwater Management |
| 14.6.7 | Special Use Regulations | 14.6.15 | Outdoor Lighting |
| 14.6.8 | Parking, Loading, Service, Driveways and Circulation | 14.6.16 | Telecommunications Equipment |


## 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 Signage. 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.

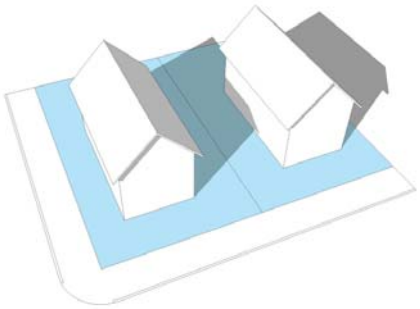
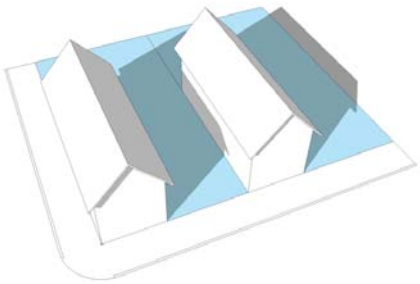
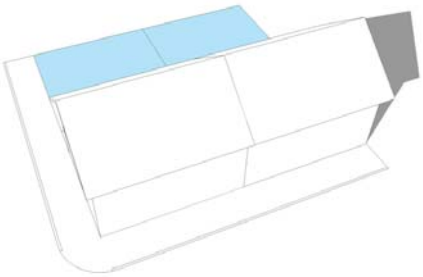
Each Subsection within this Section further refines the applicability of the standards.

## 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 | Sideyard | Rearyard |
|---|---|---|
| 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. | 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. | 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. |
|  |  |  |

b) 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 Rear Lot Line and (b) a line which is 20 feet from and parallel to 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.

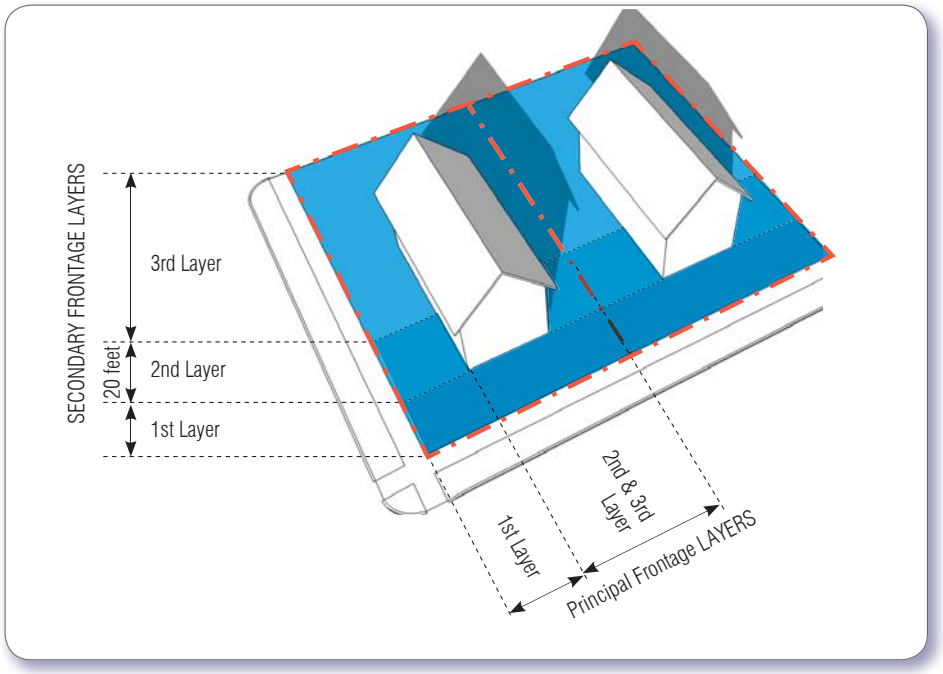



*Illustration 14.6.3-A - Lot Layers*

## 14.6.4 - Topography and Hillside Requirements

a) Purpose and Applicability. This Subsection establishes standards and guidance for development on sites with irregular, undulating, or uneven topography. The standards in this Subsection shall apply in all Form Districts.

b) Building Height. Sites with uneven topography present unique issues in relation to building height. The Burlington Form-Based Code addresses building height in the following ways:
   i. Maximum and/or Minimum Building Height. Building heights are regulated by Form Districts (See Section 14.3 - Specific to Form Districts) and the Regulating Plan Map 2 (See Section 14.2 - Regulating Plan - Special Requirements).

   ii. Overall Building Height. The maximum height of a building follows the existing topography of a site and shall be measured from the lowest grade along a Frontage. This ensures that buildings comply with the building height across an entire site. See SubSection 14.6.5 (Building Height).

   iii. Exposed Basements. The maximum amount a basement may be exposed before it counts as a building Story is set forth in Subsection 14.6.5-b). At the point where an exposed basement no longer counts as a building Story, the height of the building may be increased.

c) Grading or Regrading of Sites. 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:
   i. Retaining walls or blank walls taller than four feet in height along required Principal or Secondary Frontage;

   ii. Retaining walls on rear or side Lot Lines; and

   iii. 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.

d) Administrative Relief. Subsection 14.7 (Varying The Form; Administrative Relief) provides a process to obtain variations to standards found in this Chapter due to topographic constraints.

*Illustration 14.6.4-A - Appropriate Site Grading*

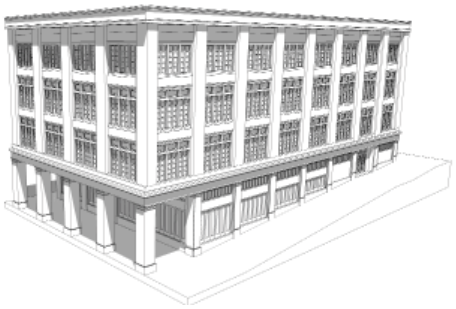


*Illustration 14.6.4-B - Appropriate Site Grading*

## 14.6.5 - Building Height

a) Purpose and Applicability. This Subsection 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's downtown. Several methods may be used to regulate building height, including regulating the overall height of a Building and/or the number of stories. The actual method required shall be as determined in Section 14.3 Specific to Form Districts.

   This Subsection shall apply within all Form Districts (See Section 14.3 Specific to Form Districts).

b) Building Height by Story. A Story or floor shall be measured as follows for purposes of regulating the height of a building:

i. A floor that conforms to the requirements in Table 14.6.5-A below (Height of a Story) shall be counted as one Story. A floor that exceeds the requirements in Table 14.6.5-A (Height of a Story) shall be counted as two or more stories based on the maximum height permitted.

ii. Mezzanines or lofts extending beyond 33% of the floor area below shall be counted as an additional Story.

iii. Attics shall not be counted as a Story and shall not exceed 14 feet in height measured from finished floor to finished ceiling.

iv. Basement floors with an exterior exposed wall greater than 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.

## Table 14.6.5-A: Height of a Story [1]

| | Building Types: Carriage House, Detached House, Large House, Duplex, Rowhouse, MultiFamily: Small and Large | Building Types: Work-Live, Mixed-Use, Perimeter, Civic, Flex |
|---|---|---|
| Ground floor | 8'min. - 14' max. | 11' min. - 25' max. |
| All other floors | 8'min - 12' max. | 14' max. |

[1] All heights are measured from finished floor to finished floor.

c) Basements and Crawl Spaces

i. Basement floors with an exterior exposed wall greater than 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.

ii. Exposed basement walls visible along any Frontage shall not exceed nine feet in height measured from the exterior finished grade to the finished floor of the Story above.

iii. Unfinished crawl spaces taller than three feet shall be screened from view of public Thoroughfares with landscaping.

iv. Unfinished crawl spaces shall not exceed five feet in height measured from the exterior finished grade to the finished floor of the Story above.

d) Allowed Encroachments Beyond Height Limits

## Table 14.6.5-B: 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 fully screened from street level view. |
| Steeples, Towers or Other Unoccupied Other Architectural Features | Shall not exceed 20% of the roof area [2] and shall not exceed 20% of the height limit. Such features shall be incorporated in a manner consistent with the overall architectural design of the Building. |
| Stairs Towers or Elevator Towers | Shall not exceed 20% of the roof area [2]. Where incorporated into and hidden within the roof Structure or a mechanical penthouse, no such area limit shall apply. Enclosures shall be incorporated in a manner consistent with the overall architectural design of the Building. |
| Mechanical Equipment | Shall not exceed 20% of the roof area [2], and shall be fully screened on all sides to the full height of the equipment being screened, and positioned to be completely unseen from street level view. Screening may consist of parapets, screens, latticework, louvered panels, or other similar methods.<br><br>Where incorporated into and hidden within the roof Structure or a mechanical penthouse, no such area limit shall apply. Enclosures shall be incorporated in a manner consistent with the overall architectural design of the Building. |

### Table 14.6.5-B: Allowed Encroachments beyond Height Limits (Continued)

| Element | Additional Requirements |
|---|---|
| Solar Panels or Solar Water Heating [1] | Shall not exceed 20% of the building height. |
| Wind Turbines [1] | Shall not exceed 20% of the building height. |
| Urban Agriculture Structures | Shall not exceed 10 feet above the top of the building. |

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

[2] Area limitations shall not be cumulative.

## 14.6.6 - 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.

## 14.6.7 - 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, Signage, or site Improvements shall conform to the requirements of the character 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, Signage, 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, except if located in FD4, in which case the fuel pump shall be located at least 30 feet from that Lot Line;

ii. Access to a public street shall be located a minimum of 50 feet from any interSection between public streets 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 within five feet of a Lot Line , except if located in FD4, in which case the canopy shall not be located within 20 feet of the 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 en-trance; and,

e) Community House. The following shall be applicable to an application involving a Community House:

i. Density shall not exceed 1 person per two hundred (200) Square feet of gross floor area;

ii. All standards for the underlying Form District shall continue to be applicable; and,

iii. 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) Accessory Dwelling Units. One Accessory Dwelling Unit, located within or appurtenant to an owner-occupied single family Dwelling, shall be allowed as a permitted use and shall not be counted as a Dwelling Unit for the purposes of density calculation. The following shall be applicable to an application involving an Accessory Dwelling Unit:

i. The Accessory unit shall not consist of more than 30 percent of the total habitable floor area of the building, inclusive of the Accessory Dwelling Unit;

ii. The Accessory unit shall be inhabited by no more than 2 adult occupants;

iii. All standards for the underlying Form District shall continue to be applicable;

iv. One additional parking space allocated to the Accessory unit shall be provided; where on-site parking is required,

v. A deed or instrument for the property shall be entered into the land records by the owner containing a reference to the permit granting the Accessory unit prior to the issuance of the certificate of occupancy for the unit. Such reference shall identify the permit number and note that the property is subject to the permit and its terms and conditions including owner occupancy. No certificate of occupancy shall be issued for the unit unless the owner has recorded such a notice; and,

vi. If either the primary unit or the Accessory unit is no longer owner occupied as a primary residence, the approval for the Accessory Dwelling Unit shall become void and the kitchen of the Accessory Dwelling Unit must be removed within 90 days with the entirety of the property being occupied as a single unit. When an Accessory unit that is the result of additional Square footage and/or a new Accessory Structure is proposed to be removed, revised floor plans and a revised site plan shall be required to be submitted for review and approval. Furthermore, where additional Square footage is added to a single family home for purposes of creating an Accessory unit and the Accessory unit is at any point discontinued, none of the additional Square footage shall be eligible for the purposes of increasing the number of unrelated adults that may be allowed to inhabit the property.

g) Home Occupation. The following shall be applicable to an application involving a Home Occupation:

i. Any Home Occupation shall clearly be secondary or incidental to a principal residential use;

ii. The Home Occupation shall be conducted only inside the Dwelling or inside an Accessory Building;

iii. No outdoor display or storage of materials, goods, supplies, or equipment shall be permitted in connection with any Home Occupation;

iv. No Home Occupation may increase vehicular traffic flow or parking by more than one additional vehicle at a time for customers or deliveries;

v. No Home Occupation shall utilize flammable, toxic or hazardous materials in quantities not customary to a residential use;

vi. 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;

vii. All standards for the underlying Form District shall continue to be applicable;

viii. A Home Occupation located in FD4 may be approved by the administrative officer subject to the following:

A. Home Occupations shall be limited to low impact uses using typical home kitchen or office equipment such as computers, desks, drafting tables, stoves, refrigerators, microwaves or other similar furnishings;

B. No more than 25%, up to 500 Square feet, of a residence can be used for the Home Occupation;

C. All employees shall be residents of the residence where the Home Occupation is conducted;

D. No clients or customers come to the premises;

E. There shall be no more than one vehicle associated with the Home Occupation with commercial identification;

F. Deliveries or pick-ups via small service vehicles, but excluding semi trailers or 18 wheel vehicles, shall occur no more than an average of one (1) time per day between the hours of 8 am and 6 pm;

G. No Signs shall be allowed.

ix. Any other Home Occupation located in FD4 may be approved by the Development Review Board subject to the following:

A. No more than thirty-five percent (35%) of the floor area of said residence, including Accessory Structures, up to a maximum of seven hundred fifty (750) Square feet, whichever is less, shall be used for such purpose;

B. A Home Occupation shall be conducted solely by resident occupants plus no more than two (2) full-time equivalent employees;

C. No more than one client or customer at a time may be permitted to come to the premises; and,

D. One non-illuminated wall Sign that shall not exceed two (2) Square feet may be permitted. (See Section 14.6.9-J - Wall Sign)

h) Crisis Counseling Center. The following shall be applicable to an application involving a Crisis Counseling Center:

i. A Crisis Counseling Center may only be permitted on Lots fronting the following streets: North Ave., Shelburne St., Main St., St. Paul St., Colchester Ave., and Pearl St.;

ii. A Crisis Counseling Center may only be permitted in a Principal Building existing as of January 1, 2007;

iii. Secondary residential use in the same building or on the same Lot may be permitted; and,

iv. All standards for the underlying Form District shall continue to be applicable.

i) Outdoor Dining Areas and Entertainment for Restaurants and Drinking Establishments. Outdoor areas on any public Sidewalk or Alley requires a permit from the City Council. The following shall be applicable to an application on private property involving outdoor dining areas and entertainment for restaurants and drinking establishments:

i. Outdoor areas on any public Sidewalk or Alley requires a permit from the City Council. Any outdoor area located within 100 feet of a FD4 boundary line requires conditional use approval from the Development Review Board;

ii. Within 500 feet of a FD4 boundary line, the outdoor area 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;

iii. Within 500 feet of a FD4 boundary line, entertainment, including the use of audio/visual equipment or amplified sound requires conditional use approval from the Development Review Board;

iv. With the exception of the Frontage, decorative walls or fencing shall be used to enclose an outdoor area; and,

v. 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.

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

i. Driveways and aisles shall be not be obstructed;

ii. All solid waste collections and recycling containers shall be enclosed or screened so as not to be visible from the right-of-way or other publicly Accessible areas. The Structure shall be enclosed on all sides, one of which includes a gate or door that can be secured;

iii. The enclosures may not be located in the First Lot Layer, required parking or Landscape Areas or any other area required by law to be maintained;

iv. The enclosure may consist of a solid wood or masonry walls, wooden stockade, picket or lattice fencing or screened by landscaping;

v. The enclosure shall be a minimum of one foot taller than the container; and,

vi. Receptacles and/or enclosures shall be covered and maintained in a manner that prevents blowing trash and is secured from rodents or other pests.

## 14.6.8 - Parking, Loading, Service, Driveways 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. Parking, loading, service and Driveway requirements as set forth in this Subsection and Section 14.3 (Specific to Form Districts) shall apply to the following:
   i. New development, changes in land use; and 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 Form-Based Code:
      A. Gross floor area
      B. Seating capacity
      C. Dwelling Units.

   Parking Lot design and location, loading, service and Driveway requirements apply in all Form Districts. See Section 14.3 (Specific to Form Districts).

c) General Parking Standards
   i. With the exception of FD5-AI, 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 parked within a completely enclosed building.

   iv. Up to 50% of the on-site parking spaces may be leased on a monthly basis to off-site users without being considered a Parking Lot or Parking Structure.

   v. Parking Structures shall be located behind or enclosed within a Perimeter Building (See Section 14.4.13).

   vi. Parking Lots and Parking Areas shall be screened from view from the Thoroughfare.

d) Minimum Number of Parking Spaces Required
   i. The minimum number of parking spaces required are listed in Table 14.6.8-A (Parking Spaces Required), and shall only apply in FD4 and FD5-AI. If a use is not listed, no minimum on-site parking shall be required. When calculating the required number of parking spaces, numbers shall be rounded to the closest whole number.

## 14.6.8-A Parking Spaces Required

| Use | Required Spaces |
|---|---|
| **RESIDENTIAL - GENERAL** | (spaces per unit) |
| Studio/1 bedroom | 0.33 |
| 2 bedrooms | 1 |
| 3 bedrooms | 1.5 |
| 4 bedrooms | 2 |
| 5+ bedrooms | 3 + 1 per additional bedroom over 5 |
| **RESIDENTIAL - SPECIAL LODGING** | 0.33 per bed |
| Bed and Breakfast/Historic Inn | 0.75 per room + 1 for residents |
| Hotel, Motel | 0.75 per room |
| **RETAIL - GENERAL** | |
| Convenience Store/General Merchandise/Retail | 2 per 1,000 sf |
| Fuel Service Station | 1 per employee shift |
| Wholesale Sales | 1 per 1,000 sf |
| **RETAIL - OUTDOOR** | |
| Automobile, boats, recreational vehicles Sales/Rentals | 2 per 1,000 sf |
| Building Material Sales & Garden Supply Store | 2 per 1,000 sf of retail area |
| Contractor Yard | 2 per 1,000 sf of office space |
| Open Air Markets | None |
| **OFFICE & SERVICE** | 2 per 1,000 SF |
| Animal Grooming, Beauty Salon/ Barber Shop/Spa | 1 per station |
| Car Wash | None |
| Tailor Shop | 1 per 1,000 sf |
| **HOSPITALITY/ ENTERTAINMENT/ RECREATION** | |
| Aquarium, Bowling & Museum | 1 per 1,000 sf |
| Art Gallery/Studio, Club, Membership & Community Center | 2.5 per 1,000 sf |
| Bar, Tavern & Restaurant | 3 per 1,000 sf |
| Billiards & Arcade | 2 per 1,000 sf |
| Café & Performing Arts Studio | None |
| Cinema, Performing Arts Center & Recreational Facility - Indoor | 1 per 4 seats |
| **AGRICULTURE** | |
| Community Garden | 1 per 10 pLots |
| **MANUFACTURING/ PRODUCTION/ STORAGE** | 1 per 1,000 sf |
| Manufacturing - Tour Oriented | 1 per 1,000 sf of manufacturing use + 2 per 1,000 sf of public area |
| Warehouse/Storage | 0.35 per 1,000 sf |
| Warehouse, Self-Storage | 1 per 100 leasable storage spaces + 1 per resident manager |
| **EDUCATION & DAY CARE** | |
| Daycare - Adult | 1 per 2 employees |
| Daycare - Large (Over 20 children) | 1 per 2 employees + 1 per 5 children |
| Daycare - Small (7-20 children) | 1 per 2 employees |
| Daycare - Home (6 children or less) | None |
| School - Post-Secondary & Community College | See BCDO Article 8 Part 3 - Institutional Parking Plans |
| School - Primary | 1.5 per classroom |
| School - Secondary, Trade and Professional | 5 per classroom |
| **Civic** | |
| Fire Station | 2 per apparatus |
| Library & Post Office | 1 per 1,000 sf |
| Park & Public Works Yard/Garage | None |
| Police Station | 2 per 1,000 sf |
| Worship, Place of | 1 per 4 seats |
| **TRANSPORTATION & UTILITIES** | |
| Hazardous and Solid Waste Facilities | 1 per 2 employees |
| Public Transit Terminal | 1 per 1,000 sf |
| Operations Center – Taxi/Bus | 1 per 3 employees |
| Operations Center - Trucking | 2.5 per 1,000 sf |
| Rail Equip. Storage & Repair | None |

e) Maximum Number of Parking Spaces. When calculating the maximum number of parking spaces, numbers shall be rounded down to the closest whole number. The maximum number of off -street parking spaces shall be as follows:
   i. 125 percent of the required minimum number of parking spaces in Table 14.6.8-A above.

f) Off-Site Parking. Required off-street parking per b) above, may be provided if the following standards are met:
   i. The required parking is provided in an off-street parking facility or another site within 1,000 feet of the site proposed for development, as measured along Thoroughfare right-of-ways that provide Access to both sites;

   ii. Pedestrian Access between the site and the off-site Parking Area shall be via concrete or paved Sidewalk or walkway; and

   iii. The owners of the site and the off-site Parking Area shall provide a recorded parking agreement or covenant in a form approved by the City Attorney reflecting the arrangement between the sites.

g) Parking Adjustments. Required off-street parking per b) above, may be reduced as follows:
   i. Shared Parking. For two use types, shared parking shall be calculated as follows. The sum of the required parking for the two use types shall be divided by the factor listed in the table below. When three or more use types share parking, the two uses with the larger proportion of gross floor area shall be used. The required number of parking spaces shall be rounded up to the closest whole number.

### Table 14.6.8-B - Shared Parking Factor for Two Uses

| | Residential | Lodging | Office & Services | Retail & Hospitality |
|---|---|---|---|---|
| Residential | 1.0 | 1.1 | 1.4 | 1.2 |
| Lodging | 1.1 | 1.0 | 1.7 | 1.3 |
| Office & Services | 1.4 | 1.7 | 1.0 | 1.2 |
| Retail & Hospitality | 1.2 | 1.3 | 1.2 | 1.0 |

   ii. Waivers from Parking Requirements/Parking Management Plan. The total number of parking required may be further reduced subject to the requirements of Section 8.1.14 of the BBCDO.

h) Parking Spaces, Lot Design and Layout
   i. Access. The following standards are applicable to off-street parking lot access design and include parking for single-family residences 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 shall be Accessed by a Rear Alley or Lane, or from a Secondary Frontage, where such is available and functional.

      D. Vehicular entrances and Driveways to Loading Areas, Parking Lots, Parking Areas, Garages and Parking Structures shall be no wider than 10 feet in FD4 and 24 feet in all other Form Districts, at the Frontage.

      E. Retaining walls to provide Access to underground parking may be not more than 15-feet.

F. The location, design and construction of all off-street parking Access points to a public Thoroughfare shall meet the requirements of the City Engineer.

G. Angled spaces may be configured as either head-in or back-in.

H. A Clear Sight Triangle, as shown in Illustration 14.6.8-A below, shall be provided at the intersections of two Thoroughfares or a Driveway and a Thoroughfare to provide safe sight distances for pedestrians, bicycles and vehicles. Within the Clear Sight Triangle no obstructions more than 3 feet in height above the curb shall be placed, with the exception of a Building when permitted. The Clear Sight Triangle shall be measured from the point where the Principal and Secondary Frontages meet and shall extend 25 feet along both Frontage Lines. For Driveways, the Clear Sight Triangle shall be measured where the Driveway intersects the Frontage Line and shall extend 25 feet along the Frontage Line and 15 feet along the Driveway.

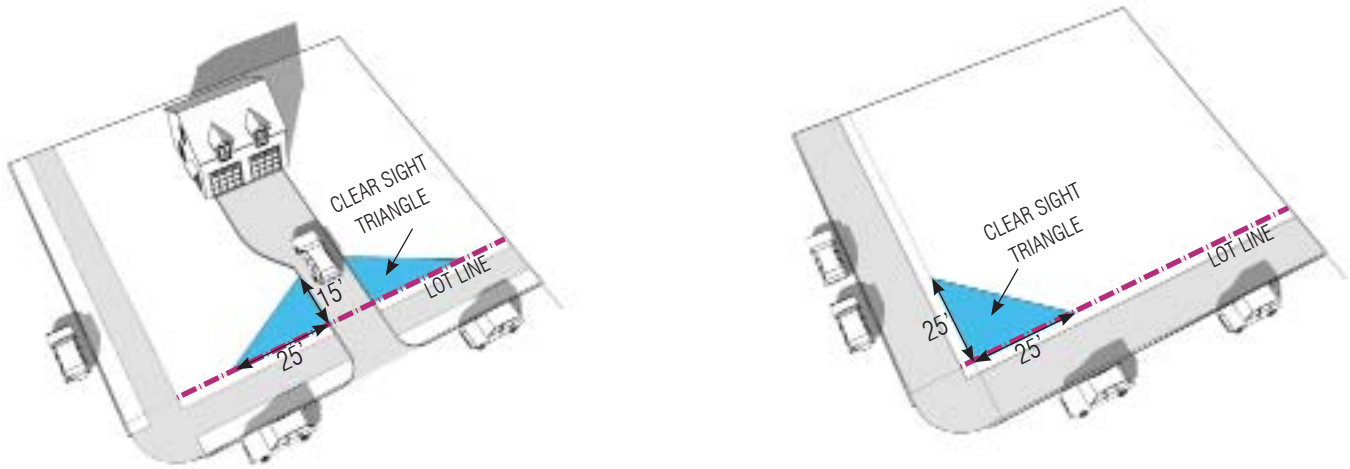



*Illustration 14.6.8-A - Clear Sight Triangle*

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. Stacked or valet parking may be allowed if an attendant is present to move vehicles.

B. Tandem Parking may be provided for an individual Dwelling Unit and dedicated employee-only parking provided it is designed as such.

C. Vertically stacked parking may be allowed. Vertically stacking 3 or more vehicles may be allowed only if an attendant is present.

i) Materials and Markings

i. All off-street Parking Areas and Driveways shall be surfaced with an impervious surfacing material.

ii. The use of pervious or semi-pervious Parking Area surfacing materials including, but not limited to “grasscrete,” or recycled materials such as glass, rubber, used asphalt, brick, Block and concrete may be approved by the Department of Public Works for required vehicular surface area on a site, provided such areas are properly maintained. Where possible, such materials should be used in areas in proximity to and in combination with on-site stormwater control devices.

iii. Off-Street Parking Areas of four 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.

i. 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.

k) Dimensional Standards for Parking Spaces and Aisles

i. General. Standard and compact car parking spaces and Parking Lot aisles shall comply with the minimum dimension standards established in Table 14.6.8-C (Minimum Dimensional Requirements) and as shown in Illustration 14.6.8-B - Parking Dimensions below. No more than 20% of the total parking spaces may be designed and designated for compact cars.

## Table 14.6.8-C: Minimum Dimensional Requirements

| Angle | Drive Asile Width | | | |
|---|---|---|---|---|
| | One-Way A | Two-Way B | Space Width[1] C | Space Length[1] D |
| Parallel | 11’ | 22’ | 8’ | 18’ |
| 30º | 11’ | NA | 8.25’ | 18’ |
| 45º | 12’ | NA | 8.25’ | 18’ |
| 60º | 16’ | NA | 8.25’ | 18’ |
| 90º | 23’ | 23’ | 8.25’ | 18’ |
| Perpendicular | | | 8.25’ | 36’ |
| Tandem | | | 8’ | 15’ |

[1] Where a physical barrier (other than a structural column) exists along one side of the parking stall, the minimum stall width shall be increased by 1-foot. Where a physical barrier exists along both sides of the parking stall, the minimum stall width shall be increased by 2-feet.

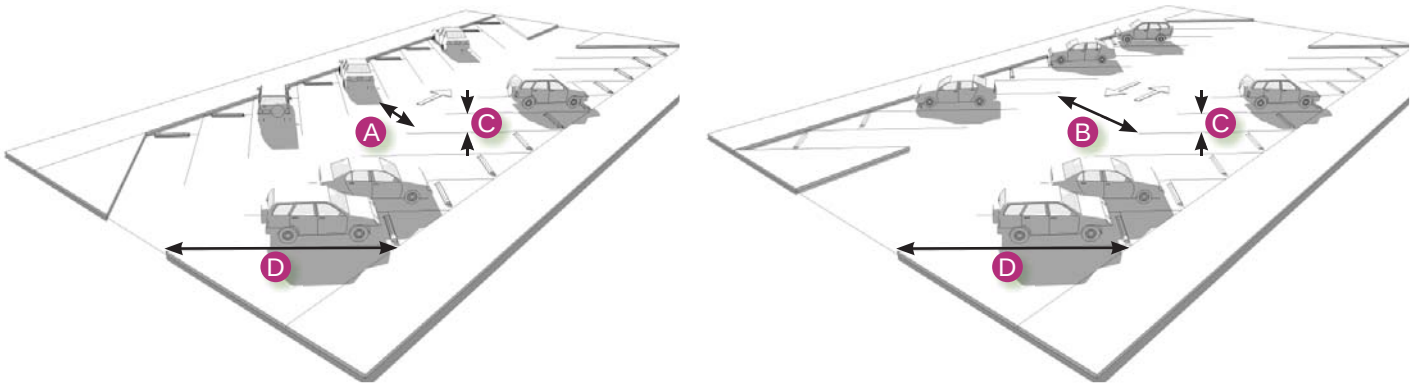



*Illustration 14.6.8-B - Parking Dimensions*

ii. Dimensional Adjustments. Parking Structures may be subject to dimensional adjustments based on utilization or site constraints, but in no case shall the standard parking space width be less than eight feet. Reduction in design standards shall be subject to approval by the City Engineer.

iii. Vertical Clearance. All parking spaces shall have a minimum overhead clearance of six foot, eight inches (6’8”).

iv. Reduction for Planter Overhangs. When a parking space abuts a planter; the front two feet of the required parking space length may overhang the planter provided that wheel stops or Curbing are provided and the remaining area out-side of the overhang meets the minimum width requirements of the planter.

l) Landscaping

i. Parking Areas and Parking Lots with ten (10) or more spaces shall be planted with two Trees for every ten (10) spaces. Each row of parking shall be terminated with a landscape island (see Sec. 14.6.12 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 of such walkways 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.

m) Driveways and Loading Areas Requirements

i. Drive-thru are not allowed.

ii. Driveways may be shared between Adjacent parcels.

iii. Loading and service areas, parked cars, 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.

iv. Loading and service areas shall be Accessed by a Rear Alley or Lane, or from a Secondary Frontage, where such is available.

## 14.6.9 - Bicycle Parking Standards

a) Purpose. This Subsection regulates and ensures the provision of parking spaces that are designed for bicycles. These standards ensure that bicycle parking needs of new land uses and development are met, while ensuring bicycle parking spaces are designed and located in a consistent manner. These standards also ensure the provision of bicycle Access to employment, commercial destinations and other transportation alternatives; the provision of safe and adequate bicycle parking facilities that (1) meet the demands of the use of the property; (2) reduce hazards to pedestrians; enhance the visual quality of the city; (3) reduce the adverse impact associated with the bicycle parking on parking meters, street trees, etc; and (4) encourage the use of bicycles as an alternative to motor vehicle transportation, thereby reducing traffic congestion, influencing modal split, and increasing the safety and welfare of residents.

b) Applicability. Bicycle parking requirements as set forth in this Subsection shall apply to the following:

i. New development, changes in land use; and 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 Form-Based Code:

A. Gross floor area; Seating capacity; or Dwelling Units.

c) Joint Use of Bicycle Parking Facilities

i. Required bicycle parking spaces for two (2) or more Adjacent uses or Structures may be satisfied by the same parking facilities used jointly, provided that such right of joint use and maintenance is evidenced by a deed, lease, contract, reciprocal easement, or similar written instrument establishing the joint use, and that the facilities are within 200 feet of the building or parcel housing the use.

d) Bicycle Parking Requirements

i. Bicycle parking for all uses and Structures in all Parking Districts shall be provided in accordance with Table 8.2.5-1.

A. Where no requirement is designated, and the use is not comparable to any of the listed uses, bicycle parking requirements shall be determined by the DRB upon recommendation of the city's bicycle and pedestrian planner based upon the capacity of the facility and its associated uses.

B. When the calculation yields a fractional number of required spaces, the number of spaces shall be rounded to the nearest whole number.

C. Where bicycle parking is required, the minimum number of bicycle parking spaces provided at each site shall be two (2) and the maximum shall be fifty (50), not including long term parking.

## Table 14.6.9-A - Bicycle Parking Requirements

| | Specific Use | Long Term Spaces | Short Term Spaces |
|---|---|---|---|
| | | Per Square Feet of Gross Building Area, except as noted otherwise | |
| **Residential** | | | |
| Household Living | Multi unit | 1 per 4 units | 1 per 10 units |
| Group Living | Elderly housing | 1 per 10 units | 1 per 10 units |
| | Fraternity, sorority, & dormitory | 1 per 4 residents | 1 per 8 residents |
| Temporary lodging | Hotel, motel, bed & breakfast, boarding house, campground | 1 per 20 rooms/sites | 2 per 20 rooms/sites |
| **Commercial** | | | |
| Office | | 1 per 5,000 sf | 1 per 10,000 sf |
| | Medical, dental | 1 per 5,000 sf | 1 per 8,000 sf |
| Retail sales and service | | 1 per 20,000 sf | 1 per 5,000 sf |
| | Auto, boat, motorcycle related sales, service and retail | 1 per 30,000 sf | 1 per 10,000 sf |
| | Restaurants, bars, taverns | 1 per 10 employees | 6% of occupancy load |
| **Industrial** | | | |
| Industrial, manufacturing, production and warehousing | | 1 per 20,000 sf | 1 per 50,000 sf |
| **Permitted, Public/Institutional uses** | | | |
| Colleges or Universities | Excluding dormitories | 1 per 20,000 sf | 3 per 5,000 sf |
| Daycare, except home | | 1 per 20,000 sf | 1 per 10,000 sf |
| Schools | Grades 2-5 | 1 per 20,000 sf | 2 per classroom |
| | Grades 6-12 | 1 per 20,000 sf | 4 per classroom |
| Community Services | Museums, aquariums, libraries, community centers, municipal buildings, Post office | 1 per 20,000 sf | 3 per 5,000 sf |
| Medical Center | Excluding medical or dental offices | 1 per 10,000 sf | 1 per 20,000 sf |
| Worship, places of | | 1 per 20,000 sf | 1 per 40 seats |
| Recreation, government owned | Parks | Per DRB review | 1 per 10 daily users |

| OTHER | | | |
|---|---|---|---|
| Terminal | Taxi/Bus/Passenger/Ferry | As determined during Site Plan Review by DRB | As determined during Site Plan Review by DRB |
| Parking | Parking Lot, Garage; public or private | 4, or 5% of automobile spaces, whichever is greater | None |

e) Limitations

i. No bicycle parking spaces required by this standard shall be rented or leased to employees or residents residing at the location at which bicycle parking is required; however, a refundable deposit fee may be charged. This does not preclude a bike parking rental business.

ii. Providing bicycle racks on the public right of way must be approved by the department of public works.

f) Location & Design Standards

i. All bicycle parking facilities shall be installed in accordance with the department of public works "Bicycle Parking Guidelines."

ii. Bicycle parking or a Sign leading thereto shall be visible from the main entrance of the Structure or facility.

iii. Bicycle parking shall be visible, well lit, and as convenient to cyclists as auto parking.

iv. Bicycle parking facilities shall provide sufficient security from theft and damage. They shall be securely anchored to the ground, shall allow the bicycle wheel and frame to be locked to the facility, and shall be in a location with sufficient lighting and visibility.

v. Bicycle parking facilities shall be visually compatible and of a design standard consistent with their environment and the development standards of Art 6.

vi. Required bicycle parking spaces shall be of a sufficient dimension to accommodate a full-sized bicycle, including space for Access and maneuvering.

vii. Bicycle parking facilities shall be sufficiently separated from motor vehicle Parking Areas to protect parked bicycles from damage by motor vehicles.

vii. The surfacing of bicycle parking facilities shall be designed and maintained to be clear of mud and snow.

viii. Bicycle parking racks and lockers shall be anchored securely.

ix. Existing bicycle parking may be used to satisfy the requirements of this Section provided the rack design is consistent with the department of public works "Bicycle Parking Guidelines."

g) Long Term Bicycle Parking

i. Long term bicycle parking shall:

A. Protect bicycles from the weather;

B. Provide secure storage that prevents theft of the bicycle and Accessories; and,

C. Be located in a well lit area.

ii. Long Term bicycle parking requirements can be met in any of the following ways:

A. A bicycle storage room;

B. Bicycle Lockers, pods, or lids;

C. Lockable bicycle enclosure; or

D. By certifying to the city's bicycle and pedestrian planner that employees may store their bicycles within their workspace.

iii. When long term parking is required, showers and changing facilities for employees shall be required in accordance with Table 8.2.8-1, except for parking garages, Parking Lots, and residential units, which are exempt from the requirements of this Section. Shower and changing facilities shall be provided onsite or through an agreement for offsite use.

### Table 14.6.9-B: Shower and Changing Facilities

| Required Long Term Spaces | Minimum Number of Required Shower and Changing Facilities |
|---|---|
| 1-4 | 1 |
| 5-10 | 2 |
| 11-20 | 3 |
| 21+ | 4 plus one for each additional 15 Long Term spaces or part thereof |

## 14.6.10 - 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 - Specific to Form Districts, Special Districts). 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 permit standards of this Subsection and are permitted in any Form District:

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 thirty-two (32) Square feet.

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 for Signs

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.

I. Off-premise Signs which advertise or otherwise direct attention to any commodity or activity, sold, offered or conducted elsewhere then 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 14.6.9 (a); and

E. Outdoor image projections (Signs projected from an external light source onto a building or Structure) or any other similar devices.

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) Permanent Signs

i. Permanent Signs shall meet the standards set forth in Subsections 14.6.10 and Tables 14.6.10-C through 14.6.10-K.

ii. The number of allowed permanent Signs is set forth within the Form District, see Section 14.3 (Specific to Form Districts) or Section 14.6.10 (Supplemental to Form District - Sign Standards).

e) Temporary Signs. Temporary Signs are allowed in all Form Districts and shall meet the following standards:
   i. Shall only be externally illuminated.

   ii. Shall meet the standards found in Table 14.6.10-A (Allowed Temporary Signs).

   iii. Permits are not required for allowed temporary Signs.

## Table 14.6.10-A - Allowed Temporary Signs

| | |
|---|---|
| **Temporary Construction Signs** | |
| Number of Signs | 1 per site max. |
| Types Allowed | Non-illuminated 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 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 of 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 site per street frontage |
| Types Allowed | Non-illuminated freestanding or window |

| | |
|---|---|
| Total Sign Face Area | 12 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 | Non-illuminated 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. |

f) Nonconforming Signs

i. A nonconforming Sign must be brought into conformity with the provisions of the this Code, 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. Provided, 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.

g) 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 years, then the entire Sign Structure and mounting hardware must be removed.

h) 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:

A. Light fixtures used to illuminate Signs shall be top mounted and shall direct the light downward toward the Sign.

B. Light fixtures shall employ the use of grids, hoods, baffles or other such devices and aimed so that light is di-rected 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:

A. Backlit Signs shall light lettering and logo and other related Sign elements only, and 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.

i) Electronic Message Displays. An electronic message display may be permitted on freestanding or marquee Signs for any public schools, gas stations, theaters or performing arts centers as defined in Article 13 of the BCDO subject to the following:

i. An electronic message display shall not have any distracting appearance of motion including but not limited to flashing, blinking, shimmering, animation, moving video, or scrolling advertising.

ii. An electronic message display that is readily visible to drivers of vehicles on any public way shall have characters of sufficient size to be easily discerned and must not constitute a safety hazard by distraction of drivers.

iii. No more than one (1) electronic message display with two sides shall be permitted per Lot.

iv. The area occupied by the message on an electronic message display may comprise no more than fifty (50) percent of the maximum total allowable Sign Area as provided below.

v. The message display area may have a maximum of three (3) lines of characters including all letters, numbers, spaces, or other symbols.

vi. An electronic message display shall consist only of alphabetic or numeric characters on a plain background and may not include any graphic, pictorial, or photographic images.

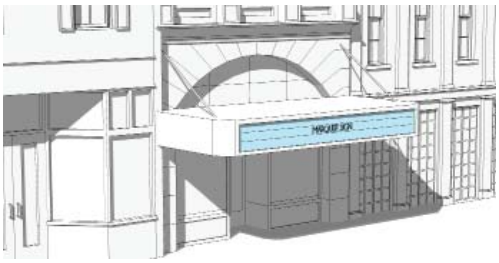
vii. A maximum of one color shall be used for an electronic message, which shall be on a dark background of one color.

viii. The message that is displayed may change no more frequently than once every two (2) minutes. When the display of an electronic message changes, it must change as rapidly as is technologically practicable with no phasing, rolling, scrolling, flashing, or blending.

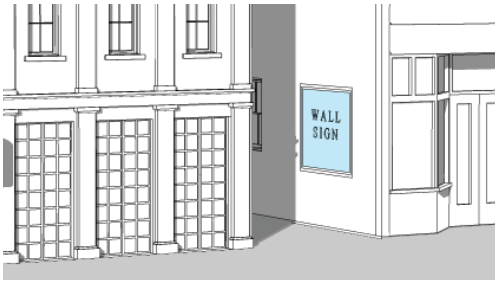
ix. An electronic message display shall include internal ambient light monitors that automatically adjust the brightness level of its display according to natural ambient light conditions.

x. An electronic message display shall contain a default mechanism that freezes the Sign in one position if a malfunction occurs.

## Table 14.6.10-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. | | FD4<br>FD5<br>FD5-AI<br>FD5-PT<br>FD6<br>Special District | 14.6.10-C |
| **Band Sign:** This Sign type is integrated flat against the Façade of a Building | | FD4<br>FD5<br>FD5-AI<br>FD5-PT<br>FD6<br>Special District | 14.6.10-D |
| **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. | | FD4<br>FD5<br>FD5-AI<br>FD5-PT<br>FD6<br>Special District | 14.6.10-E |
| **Freestanding Sign:** This Sign type encompass a variety of Signs that are not attached to a building and have an integral support Structure. | | FD4<br>FD5<br>FD5-AI<br>FD5-PT<br>FD6<br>Special District | 14.6.10-F |
| **Marquee Sign:** This Sign type is a structural feature of a Building that provides shelter and Sign space. |  | FD5<br>FD5-AI<br>FD5-PT<br>FD6 | 14.6.10-G |

## Table 14.6.10-B - Sign Types Summary Table [Not Regulatory]

| Specific Sign Type | Illustration | Districts | Standards |
|---|---|---|---|
| **Nameplate:** This Sign type consists of either a panel or individual letters applied to a Building, listing the names of businesses or Building tenants | | FD4<br>FD5<br>FD5-AI<br>FD5-PT<br>FD6<br>Special District | 14.6.10-H |
| **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. | | FD4<br>FD5<br>FD5-AI<br>FD5-PT<br>FD6<br>Special District | 14.6.10-I |
| **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. |   | FD4<br>FD5<br>FD5-AI<br>FD5-PT<br>FD6<br>Special District | 14.6.10-J |
| **Window Sign:** This Sign type is placed or painted on the interior of a Shopfront window or the window of a business door. | | FD4<br>FD5<br>FD5-AI<br>FD5-PT<br>FD6<br>Special District | 14.6.10-K |

# 14.6.10-C- Awning & Canopy Sign

| Description | Allowed In |
|---|---|
| This Sign type is integrated within or part of an Awning or Canopy. | FD4, FD5, FD5-AI, FD5-PT, FD6, Special District |

## Awning & Canopy Specifications

| | |
|---|---|
| Area | 75% of the Valance or face max<br>and/or<br>25% of the sloping plane |
| Height, Letter | 5” min; 10” max on awning Valance<br>18” max on sloping plane<br>24” max on or above canopy |

## Miscellaneous

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

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 14.6.11 Urban Design Standards.

## 14.6.10-D - Band Sign

*Diagram provided for illustrative purposes only.*

### Description

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

### Allowed In

FD4, FD5, FD5-AI, FD5-PT, FD6, Special District

### Specifications

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

[1] See Section 14.3 (Specific to Form Districts) for maximum of sign allowed per private frontage.

### Miscellaneous

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.

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

Electrical raceways, conduits and wiring shall not be exposed. Internal lighting elements shall be contained completely within the Sign assembly or inside the wall.

## 14.6.10-E - 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

FD4, FD5, FD5-AI, FD5-PT, FD6, Special District

### Specifications

| | |
|---|---|
| Quantity[1] | 1 per Principal Entrance or Frontage max. |
| Area | 6 sf max. |
| Width | 4' max. |
| Height | 4' max. |
| Height, Clear | 8' min. ; 14' max. |
| Thickness | 1/2" min.;4" max. |
| Letter Height | 8" max. |

[1] See Section 14.3 (Specific to Form Districts) for maximum of sign allowed per private frontage.

### Miscellaneous

Blade Signs may be double-sided.

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 official street grade to the top of the light standard or supporting standard, whichever is higher.

Blade Signs shall only be externally illuminated.

## 14.6.10-F - Freestanding Sign

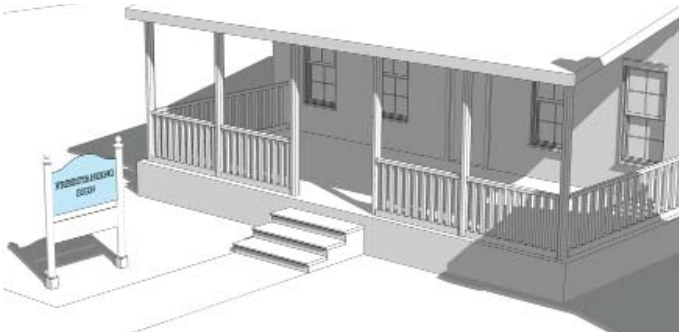


*Diagram provided for illustrative purposes only.*

| Description | Allowed In |
|---|---|
| This Sign type encompass a variety of Signs that are detached from a building and have an integral support Structure. | FD4, FD5, FD5-AI, FD5-PT, FD6, Special District |

### Specifications

| | |
|---|---|
| Quantity[3] | 1 per frontage max. |
| Area | 20 sf max. [2] |
| Width | 8' max. |
| Height, Sign | 8' max. |
| Height, Overall | 14' max. [1] |

[1] See Section 14.3.4-G (Specific to Form Districts - FD4 Downtown Neighborhood - Signage) for additional limitations.

[2] See Section 14.3.6-H (Specific to Form Districts - FD5 AI – Art & Industry - Signage) for additional permitted Sign Area.

[3]See Section 14.3 (Specific to Form Districts) for maximum of sign allowed per private frontage.

### Miscellaneous

Freestanding Signs may be double-sided.

All portions of freestanding Signs shall be set back at least three (3) feet from the Frontage Line.

Freestanding Signs may not be located in the public R.O.W.

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 externally illuminated or backlit.

Changeable copy Signs are only allowed for gasoline prices and Civic events and limited to no more than 50% the total Sign Area.

## 14.6.10-G - Marquee Sign

*Diagram provided for illustrative purposes only.*

| Description | Allowed In |
|---|---|
| This Sign type is a structural feature of a Building that provides shelter and Sign space. | FD5, FD5-AI, FD5-PT, FD6 |

### Specifications

| | |
|---|---|
| Number of Marquee | 1 per Frontage max |
| Width | Width of the Frontage Type |
| Height | 50% of the first Story height max. |
| Height, Clear | 35' max. |
| Projection | 6' min.; 10' max. |
| Distance from Curb | 3' min. |

### Miscellaneous

Marquee Signs shall be allowed only for theatres, performing arts venues and sports arenas.

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 or electronic message displays shall be permitted as provided in Section 14.6.9 h).

## 14.6.10-H - Nameplate Sign

*Diagram provided for illustrative purposes only.*

### Description

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

### Allowed In

FD4, FD5, FD5-AI, FD5-PT, FD6, Special District

### Specifications

| | |
|---|---|
| Quantity[1] | 1 per address |
| Area | 3 sf max. |
| Width | 18" max. |
| Height | 24" max. |
| Depth/Projection | 3" max. |

[1]See Section 14.3 (Specific to Form Districts) for maximum of sign allowed per private frontage.

### 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.

## 14.6.10-I - Outdoor Display Case

*Diagram provided for illustrative purposes only.*

### Description

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

### Allowed In

FD4, FD5, FD5-AI, FD5-PT, FD6, Special District

### Specifications

| | |
|---|---|
| Quantity[1] | 1 per business; 4 max. for theaters per Frontage |
| Area | 6 sf max. |
| Width | 4' max. |
| Height | 4' max. |
| Projection | 3" max. |

[1]See Section 14.3 (Specific to Form Districts) for maximum of sign allowed per private frontage.

### 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.

## 14.6.10-J - Wall Sign

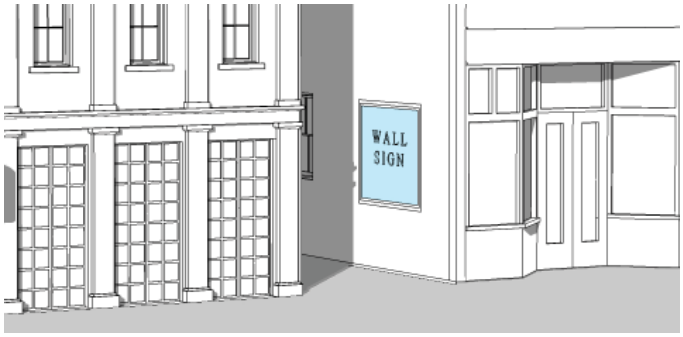



*Diagram provided for illustrative purposes only.*

| Description | Allowed In |
|---|---|
| This Sign type is attached, painted or otherwise mounted parallel to a building façade or terrace wall. | FD4, FD5, FD5-AI, FD5-PT, FD6, Special District |

### Specifications

| | |
|---|---|
| Quantity[1] | 1 per business |
| Sign Area | 1 sf per linear foot of business frontage, up to 80 sf max. |
| Width, Sign Area | 50' max. |
| Height, Sign Area | 12" min; 3' max. |
| Height above ground | The top of the Sign shall be no more than the lesser of the floor level of second Story or 25' |
| Projection | 12" max. |

[1]See Section 14.3 (Specific to Form Districts) for maximum of sign allowed per private frontage.

### Miscellaneous

Wall Signs may be externally illuminated or backlit.
Neon is permitted.

## 14.6.10-K - Window Sign

*Diagram provided for illustrative purposes only.*

| Description | Allowed In |
|---|---|
| This Sign type is placed or applied on a Shopfront or Officefront window or door. | FD4, FD5, FD5-AI, FD5-PT, FD6, Special District |

### Specifications

| | |
|---|---|
| Quantity[1] | 1 per window and/or 1 per door |
| Area | 25% of individual pane max. |
| Letter Height | 8" max. |

[1]See Section 14.3 (Specific to Form Districts) for maximum of sign allowed per private frontage.

### Miscellaneous

Characters and logos shall be placed directly on the window or hang no more than 12" from the glass.

Window Signs shall not be illuminated however the use of neon is otherwise permitted.

Items placed more than 12" from the glass shall not be considered a Sign.

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 - Urban Design Standards

a) Purpose and Applicability. 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 urban form. 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 to all Buildings in the Downtown and Waterfront District:

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 where a corner lot. A chamfered corner where a corner lot may be used. Additional entrances may also be provided along a secondary Frontage.

ii. Principal Buildings fronting a Civic Space shall have a minimum of one primary pedestrian entrance on 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. 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.

c) Walls

i. All exposed wood and wood-like products (e.g. fiber-cement) shall be painted or stained. Natural wood siding or shingles such as cedar or redwood intended to gradually weather with time are excluded from this requirement.

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

iii. Exterior trim shall be indistinguishable from wood when painted.

iv. Utility-grade concrete block and vinyl siding are prohibited as an exterior material. Split-face, ground-face and polished block may be used.

v. Unfinished foundation walls for a Primary Building shall be exposed no more than a maximum of 48" above the finished grade.

vi. Surface-applied waterproofing on any foundation wall shall not be visible.

vii. The following items are prohibited on or projecting 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, they 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.

d) Roofs

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

ii. Green Roofs shall be considered pervious for purposes of impervious surface calculations.

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. 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.

v. Unless incorporated into and hidden within the roof Structure or a mechanical penthouse, all rooftop mechanical, including air conditioning, piping, ducts, and conduits external to the building, shall be fully screened on all sides to the full height of the equipment being screened, and positioned to be minimize its 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. Any mechanical penthouse shall be setback a minimum of 10-feet from the roof edge.

vi. Solar collection devices, wind turbines and wireless telecommunication equipment shall be positioned to minimize its 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.

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

viii. All Buildings, and Structures where appropriate, shall have gutters, downspouts or rain chains, splash blocks or downspouts connected to rain barrels or underground drainage systems, or cisterns or other such devices and systems designed to collect and manage 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 least visible from Frontages.

e) Attachments & Elements

i. Awning and canopies are a traditional store-front fitting used to provide shelter over a primary entrance or outdoor seating and over windows to shade interiors. Awnings and canopies placed on a Facade, if provided, shall meet the following specifications:

A. 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.

B. Awnings and canopies may be placed above individual windows and entrances, and if so shall be placed, sized, shaped and proportioned to match the associated openings.

C. Awnings and canopies may also span across an entire Frontage, and if so shall be fixed to the Façade no higher than the height of the second floor.

D. 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.

E. 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.

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

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

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

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

ii. Balconies 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, except in the case of a Gallery Frontage Type.

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

iv. 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.

v. 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.

f) Miscellaneous

i. The use of recycled and/or locally-sourced materials is strongly encouraged.

ii. Low-VOC (Volatile Organic Compound) paints, sealants, and stains are strongly encouraged on all surfaces requiring such treatment.

## 14.6.12- Landscape and Site Standards

a) Purpose and Applicability. The following shall be applicable to the composition of all Buildings in the Downtown and Waterfront District.

b) All utility service connections shall be underground for new construction and is recommended for existing buildings undergoing substantial rehabilitation.

c) The following items are prohibited in the First Lot Layer: electrical transformers, 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.

d) 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.

e) Utility boxes and gas meters located Adjacent to Driveways, Parking Areas, Rear Lanes, Alleys or Rear Access Easements, shall require (2) 48"ht. 6" x 6" bollards set in concrete to protect them from vehicles.

f) All fences shall be installed so that the finished side faces outward.

g) 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.

h) 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.

i) 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.

j) Pervious paving materials are encouraged for any paved areas in order to increase storm water infiltration on site.

k) Constructed water features, such as fountains, streams and ponds that operate with water recirculation systems, shall be designed to prevent seepage and leaks.

l) 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.

m) 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.

n) Trees and Understory Trees proposed to be installed shall be centered horizontally and at a minimum shall be located:

i. Two (2) feet from walkways, Curbing, and other impervious pavements when planted in a Tree well or continuous planter.

ii. Three (3) feet from walkways, Curbing and other impervious pavements when planted in a continuous Swale.

iii. Five (5) feet from underground utilities, utility meters and service lines, fences, walls and other ground level obstructions.

iv. Six (6) feet from porch eaves, awnings and similar overhead obstructions associated with the ground level of Buildings.

v. Eight (8) feet from balconies, verandas, Building eaves and Cornices, and similar overhead obstructions associated with the upper stories of Buildings.

vi. Fifteen (15) feet from streetlights poles not to impact the light spread of the fixture.

o) At the time of installation, all:

i. Proposed Trees shall be a minimum height of ten (10) feet and/or three (3) inches in Caliper.

ii. 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 - 31/2) inches in Caliper.

iii. 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.

p) The following shall be applicable to all private Lots in and the Private Frontage in Form District FD4:

i. The First Lot Layer may not be paved, with the exception of Driveways and a walkway from the Public Frontage to the Private Frontage not exceeding 4 feet in width.

ii. The minimum required Landscape Area shall be thirty (30) percent of the First Lot Layer and not less than twenty (20) percent landscaped or otherwise undisturbed area for the entire site.

iii. All fencing and landscaping shall be limited to no more that 3-feet in height within the Clear Sight Triangle.

q) The following shall be applicable to all private Lots in and the Private Frontage in Form Districts FD5 FD5-A, FD5-PT and FD6:

i. The First Lot Layer may be paved to match the pavement of the Public Frontage.

ii. Where planting space is limited, Structural Soil or silva cell type Structures shall be utilized in and Adjacent to planting wells and strips.

iii. Where used, Tree grates should be quarter inch pedestrian Tree guard.

r) 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, 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" ht. 6" x 6" bollards set in concrete to protect them from vehicles.

v. All fences shall be installed so that the finished side faces outward.

## 14.6.13 - Civic Spaces Standards

a) Purpose & Applicability
The purpose of this Subsection is to provide a diverse palette of parks and other publicly Accessible Civic Spaces and their associated standards for use within the Form Districts as essential components of walkable urban environments. The standards established in this Subsection shall apply to all proposed development within the Form Districts, and shall be considered in combination with the standards found within Section 14.3 - Specific to Form Districts.

The following apply to all Civic Space types and may be further defined in each type as applicable.

b) Location. The Form District(s) in which the Civic Space type is allowed.

c) Size. The range of allowed sizes of the Civic Space type.

d) 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.

i. 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.

ii. 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.

e) Form. The placement and Disposition of objects within the Civic Space.

i. Natural. Civic Spaces with a "Natural" character are designed in a natural manner with no formal arrangement of elements.

ii. 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.

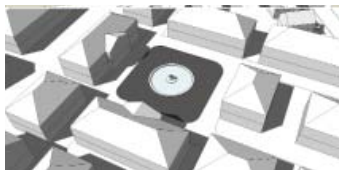
iii. Informal. Civic Spaces with an "Informal" character have a mix of both Formal and Natural characteristics.

f) Coverage. The allowed proportion of Impervious Surface within the Civic Space type.

g) 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, commercial activi-ties within a Civic Space type shall be Accessory in type and size to the overall Civic or recreational function of the Civic Space type and require a licensed approved by the Parks Director.

h) The Civic Space specified in Table 14.6.12-A (Civic Space Type Standards) are allowed By Right in the designated Form Districts.

## Table 14.6.13-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. | | FD4<br>FD5<br>FD5-AI<br>FD5-PT<br>Special District | 14.6.13-B |
| **Park:** An Open Space available for both structured and unstructured recreation and limited licensed Commercial concessions. | | FD4<br>FD5<br>FD5-AI<br>FD5-PT<br>FD6<br>Special District | 14.6.13-C |
| **Greenway:** A linear Open Space that may follow natural and transportation corridors providing unstructured and structured recreation. | | FD4<br>FD5<br>FD5-AI<br>FD5-PT<br>FD6<br>Special District | 14.6.13-D |
| **Square:** An Open Space often located at the intersection of important Thoroughfares available for unstructured recreation, Civic purposes and limited licensed Commercial concessions. | | FD4<br>FD5<br>FD5-AI<br>FD5-PT<br>FD6<br>Special District | 14.6.13-E |
| **Plaza:** A predominantly hardscaped Open Space often located at the intersection of important Thoroughfares available for Civic purposes and limited licensed Commercial concessions. |  | FD4<br>FD5<br>FD5-AI<br>FD5-PT<br>FD6<br>Special District | 14.6.13-F |
| **Pocket Park:** A small predominantly green Open Space available for passive recreation. | | FD4<br>FD5<br>FD5-AI<br>FD5-PT<br>FD6<br>Special District | 14.6.13-G |
| **Pocket Plaza:** A small predominantly hardscaped Open Space available for Civic purposes and limited licensed Commercial concessions. | | FD4<br>FD5<br>FD5-AI<br>FD5-PT<br>FD6<br>Special District | 14.6.13-H |

## 14.6.13-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 | 5% maximum |

### Typical Facilities

- Passive recreation and trails

### Parking

No on-site parking is required.

## 14.6.13-C - Park

*Diagram provided for illustrative purposes only.*

### Intent

An Open Space available for both structured and unstructured recreation and limited licensed Commercial concessions.

### Specifications

| | |
|---|---|
| Size | No size limits |
| Frontage | Independent |
| Character | Informal |
| Coverage | 30% maximum |

### Typical Facilities

- Passive and active recreation
- Recreational and community facilities
- Community gardens
- Playgrounds and play Structures
- Paths and trails
- Accessory Structures

### 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.

## 14.6.13-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 |

### Typical Facilities

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

### Parking

No on-site parking is required.

## 14.6.13-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.<br>5 acres max. |
| Frontage | Buildings |
| Character | Formal |
| Coverage | 50% maximum |

### Typical Facilities

* Passive recreation
* Paths
* Accessory Structures

### Parking

No on-site parking is required.

## 14.6.13-F - Plaza

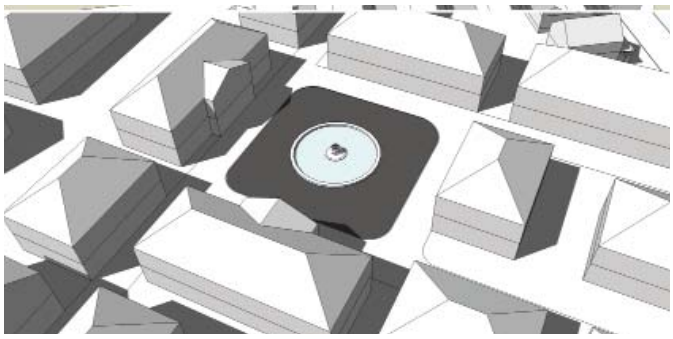


*Diagram provided for illustrative purposes only.*

### Intent

A predominantly hardscaped Open Space often located at the interSection of important Thoroughfares available for Civic purposes and limited licensed Commercial concessions.

### Specifications

| | |
|---|---|
| Size | 0.5 ac min.<br>5 ac max. |
| Frontage | Buildings |
| Character | Formal |
| Coverage | 60% minimum |

### Typical Facilities

- Passive recreation
- Paths
- Accessory Structures

### Parking

No on-site parking is required.

## 14.6.13-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.<br>0.5 ac max. |
| Frontage | Independent |
| Character | Formal |
| Coverage | 50% maximum |

### Typical Facilities

- Passive recreation
- Community gardens
- Playgrounds and play Structures
- Paths and trails
- Accessory Structures

### Parking

No on-site parking is required.

## 14.6.13-H - Pocket Plaza

*Diagram provided for illustrative purposes only.*

### Intent

A small predominantly hardscaped Open Space available for Civic purposes and limited licensed Commercial concessions.

### Specifications

| | |
|---|---|
| Size | 500 sf min.<br>0.5 ac max. |
| Frontage | Independent |
| Character | Formal |
| Coverage | 60% minimum |

### Typical Facilities

- Passive recreation
- Paths
- Accessory Structures

### Parking

No on-site parking is required.

## 14.6.14 - 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.

## 14.6.15 - 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.

## 14.6.16 - 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: Supplemental to 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 5-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 Signage, 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 of a Conditional Use, Major Impact, DRB Relief or Variance, shall be entitled to administrative approval By Right by the Department.

ii. An application that requires review by the Development Review Board, but which otherwise 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 shall, upon approval of by the Development Review Board, be entitled to administrative approval By Right by the Department.

iii. 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;
- Subdivision Review of a Final Plat pursuant to Sec. 10.1.9 of the BCDO;
- Inclusionary and Replacement Housing to Article 9 of the BCDO;
- Request for DRB Relief pursuant to Sec. 14.7.3;
- Request for a Variance pursuant to Article 12, Part 1 of the BCDO;
- Review under Special Use Regulations pursuant to Section 14.6.7.

iv. 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, Development, appurtenance, or other Improvement 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 is requested or Abandonment occurs, at which time such Building, Structure, Development, appurtenance, or other Improvement shall be required to comply to all applicable provisions of this Article.

b) The modification of existing Buildings shall be permitted By Right if such changes result in greater conformance with the specifications of this Article.

c) Buildings listed or eligible for listing on the State or National Register of Historic Places shall be considered conforming, and shall not be required to make any modifications under a) and b) above that would threaten their historic integrity.

d) Parking requirements applicable to any Lot or Building legally existing prior to the effective date of this Article that exceed those prescribed by this Article are automatically reduced to comply with the standards for the Form District and those found in Section 14.6.8 Supplemental to Form Districts-Parking, Loading, Service and Driveways without any additional action on the part of the Property Owner.

## 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 practical to vary the prescribed form in order to accommodate unique site and/or building circumstances. 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 on the forms and in accordance with the fee schedule as determined by the Department.

a) Administrative Relief. Table 14.7.3-A (Administrative Relief) below sets forth variations from the prescribed standards that may be granted by the Director. No other variations to the prescribed standards shall be permitted except as approved by the Development Review Board.

## Table 14.7.3-A - Administrative Relief

| Type of Relief | Limits of Relief Granted | Required Findings | Standards Reference |
|---|---|---|---|
| *Relief is necessary due to existing topography and other physical site features and constraints* | | | |
| **Lot Width:** The width of a Lot may vary from the maximum or minimum Lot Width requirements. | +/- 10%, not to exceed 5 feet | The property can be developed following the intent and all other applicable standards of the Form District, and granting the relief will yield a result equal to or better than in strict compliance with the standard. | Section 14.3: Specific to Form Districts, Special Districts and Civic Spaces, Table 14.3.4-D - Lot Occupation & Building Placement |
| **Building Setbacks:** A building Setback may vary from the maximum or minimum Setback requirements. | 10% max | The property can be developed following the intent and all other applicable standards of the Form District, and granting the relief will yield a result equal to or better than in strict compliance with the standard. | Section 14.3: Specific to Form Districts, Special Districts and Civic Spaces |
| **Building Height:** Building height may increase where on a sloping Lot | 1 additional floor in height. | Granting the relief will enable compliance with the Principal Entrance Level requirements without compromising the desired ground level floor-to-ceiling height. | Section 14.3: Specific to Form Districts, Special Districts and Civic Spaces; Section 14.5: Specific to Frontage Types; and Section 14.6.5 Building Height |
| **Building Height Setback:** Reduction in building height within 20' of a Form District with a lower maximum building height, may be modified. | Building height reduction requirement is transferred to the perimeter of the project with the Form District with a lower maximum building height. | Adjacent properties in both Form Districts are in common ownership and being developed jointly.<br><br>A transition to the Form District with the lowest maximum height is achieved across the project.<br><br>Both properties can be developed following the intent and all other applicable standards of the Form District,. | Section 14.3: Specific to Form Districts, Special Districts and Civic Spaces |
| **Retaining Wall Location:** Grading of a site requires retaining walls on rear and side property lines. | A retaining wall may be placed up to a rear or side property line. | Existing topography makes the placement of retaining walls impractical elsewhere on the Lot.<br><br>The property can be developed following the intent and all other applicable standards of the Form District, and granting the relief will yield a result equal to or better than in strict compliance with the standard. | Section 14.3: Specific to Form Districts, Special Districts and Civic Spaces; Section 14.6.4: Supplemental to Form Districts— Topography and Hillside Requirements |

## Table A - Administrative Relief

| Type of Relief | Limits of Relief Granted | Required Findings | Standards Reference |
|---|---|---|---|
| *Relief is necessary due to existing topography and other physical site features and constraints* | | | |
| **Retaining Wall Height:** Grading of a site requires retaining walls to be taller than 4'. | 6' max allowed only along a Secondary Frontage line | Existing topography and Lot constraints makes the placement and design of retaining walls impractical elsewhere on the Lot;<br><br>The additional retaining wall height is provided only along a Secondary Frontage line; and,<br><br>The property can be developed following the intent and all other applicable standards of the Form District, and granting the relief will yield a result equal to or better than in strict compliance with the standard. | Section 14.3: Specific to Form Districts, Special Districts and Civic Spaces; Section 14.6.4: Supplemental to Form Districts— Topography and Hillside Requirements |
| **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. | No more than the lesser of 25% or 20-feet of a Frontage shall be occupied by parking and it shall be screened from view along the Frontage. | Section 14.3: Specific to Form Districts, Special Districts and Civic Spaces |
| **Depth of Recessed Entries:** Allows for a deeper entry recess. | 8' max | A deeper entry is necessary for visitability. | Section 14.5: Specific to Frontage Types |
| **Parking Space Dimensions:** Parking space(s) size may be reduced. | Up to 30% of the total parking spaces may be deSigned and designated for compact cars. | The property can be developed following the intent and all other applicable standards of the Form District, and granting the relief will yield a result equal to or better than in strict compliance with the standard. | Section 14.6.7: Parking, Loading, Service and Drive-ways |
| **Frontage Buildout:** A relaxation in the amount of the Principal Frontage that is occupied by a building or a Streetscreen. | 10% max | The relief is necessary to enable Access to the rear of the Lot because of constraints due to existing Lot Width and/or buildings; and,<br><br>The parcel can otherwise be developed following the intent and all other applicable standards of the Form District. | Section 14.3: Specific to Form Districts, Special Districts and Civic Spaces; |
| **Building Height:** Building height may be increased. | Building height may be increased to the height of an existing Principal Building on the same Lot or within 12' of an Adjacent side property line along a shared primary street frontage. | The variation will allow the proposed building to blend in with the existing and/or Adjacent buildings; and,<br><br>The property can otherwise be developed following the intent and all other applicable standards of the Form District; | Section 14.3: Specific to Form Districts, Special Districts and Civic Spaces; and Section 14.6.5 Building Height |

## Table A - Administrative Relief

| Type of Relief | Limits of Relief Granted | Required Findings | Standards Reference |
|---|---|---|---|
| *Relief is necessary and/or desirable due to existing development patterns and Lot dimensions* | | | |
| **Building Setbacks:** Allow buildings to be placed closer to or further from a front or side property line to conform to the existing pattern of development. | Front Yard: average of the principal Structures on the two (2) neighboring Lots on either side having the same street frontage.<br><br>Side Yard: average of the correlating side yard Setbacks (i.e. left or right) of principal Structures on the four (4) neighboring Lots (2 on either side) having the same street frontage. | Existing development on Adjacent parcels on the same Block Face is greater or less than the required set-back; and<br><br>The variation will allow the proposed building to blend in with the Adjacent development better than strict compliance with the standard. | Section 14.3: Specific to Form Districts, Special Districts and Civic Spaces; |
| Allow an upper Story addition to a Principal Building with a pre-existing Setback Encroachment. | Up to the extent of the pre-existing Encroachment. | New addition does not increase the non-conformity; and,<br><br>the new addition does not extend above the existing roofline; and,<br><br>granting the relief will yield a result equal to or better than in strict compliance with the standard. | Section 14.3: Specific to Form Districts, Special Districts and Civic Spaces |
| Allow buildings to be placed closer to a side property line shared between FD5 and FD4 | 0' min | Adjacent properties in both Form Districts are in common ownership and being developed jointly.<br><br>Both properties can be developed following the intent and all other applicable standards of the Form District. | Section 14.3: Specific to Form Districts, Special Districts and Civic Spaces; |

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, may be granted by the Development Review Board after a Public Hearing and upon affirmative findings that:

A. the property will otherwise be developed following the intent and all other applicable standards; and,

B. granting the relief 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.

The provisions of this Section shall only be available to the following types of properties:

A. 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;

B. 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,

C. 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.

iii. Additional Application Requirements: In addition to the submission requirements listed in this paragraph 14.7.3.b.ii, 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:

A. A VT DEC Approved Corrective Action Plan (CAP) pursuant to 10 VSA §6615a (h);

B. A Record of Decision (ROD) issued by the US EPA;

C. A VT DEC Approved Corrective Action Plan (CAP) pursuant to VHWMR) §7-105(b); and/or,

D. Any Warranty Deed specifying any and all use and development limitations of the site.

iv. 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:

A. 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;

B. 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,

C. 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 for Project Plans 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.*

Pursuant to the authority of 24 VSA §4471(b), the appeal of any decision of the Development Review Board pertaining to an appeal of an Administrative decision heard pursuant to Sec. 12.2.2 of the BCDO shall be heard on the record by the VT Superior Court - Environmental Division.

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# 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 and brackets, door and window trim, molding and sills, 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.

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 ac-companied 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 its 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, 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 or 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

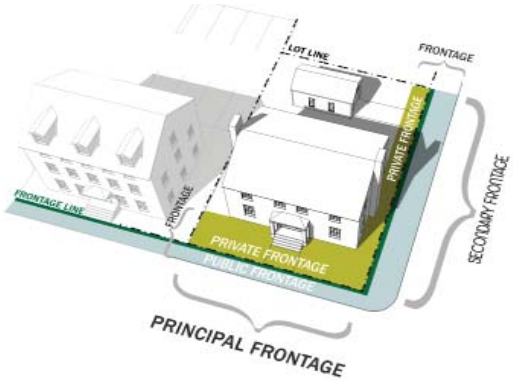
Facade: the exterior wall or walls of a Building that face a Frontage Line. See Elevation.

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 along the Frontage Line.

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 Facade.

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.

## 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).

## I

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.

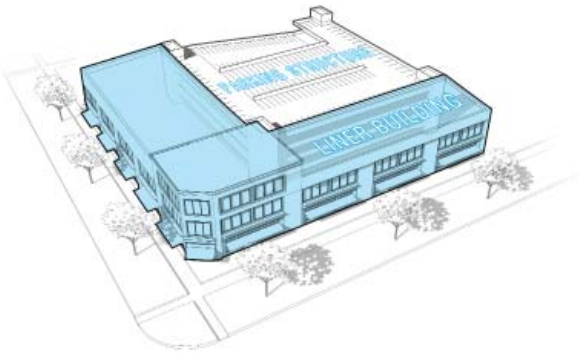
Initial Lumens: a measure of how much light a Lamp is emitting near the beginning of its life.

## L

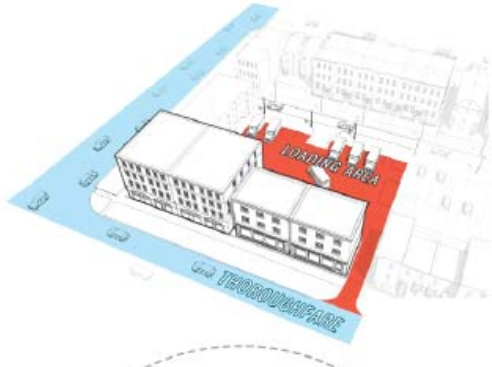
Lamp: The light-producing source installed in the socket portion of the luminaire.

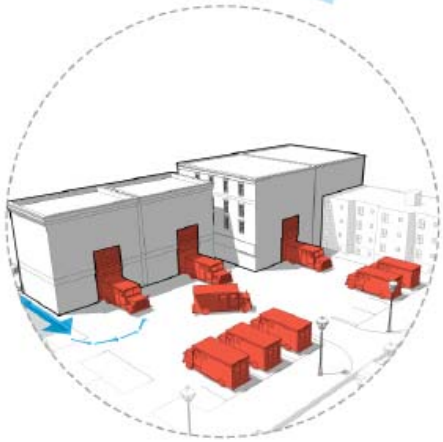
Landscape Area: The portion of a Lot that is not defined as "Lot Coverage" including grass, ground covers, gardens, Shrubs, Trees, and natural areas. Landscaped Area shall not include parking, drives, patios, walkways, or other impervious areas.

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 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(b).

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.

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 a 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 furthermost 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 rehabilitation or redevelopment of an existing Structure, Building or Lot that exceeds fifty percent (50%) of the pre-development market value of the Structure, Building or Lot as approved by the City.

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 descrite portion of a building dedicated by lease or ownership to an individual use.

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.