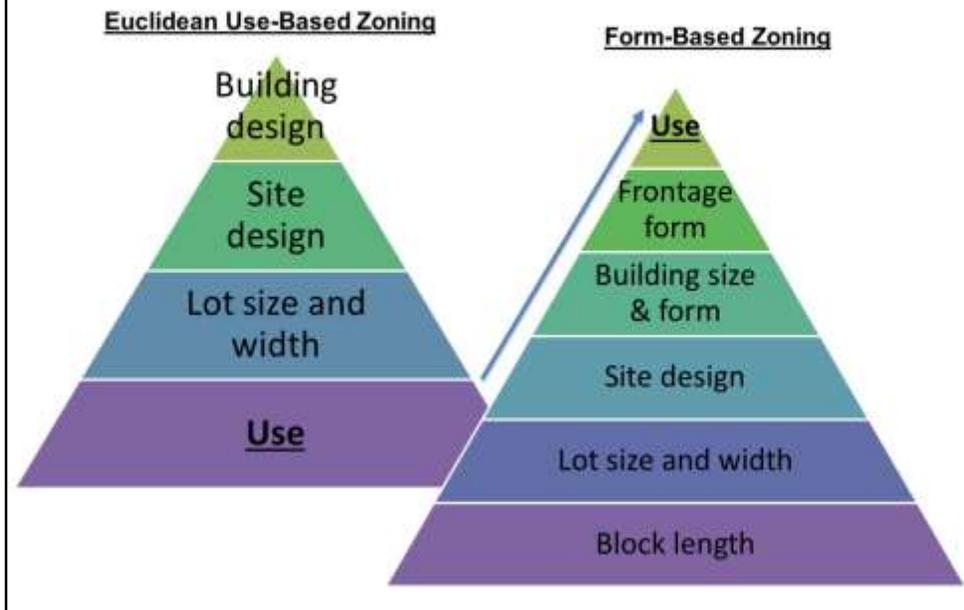


This presentation is intended to provide an overview of form-based codes generally and the proposed FBC specifically – describing the separate components and how they are intended to work together. It provides background and context that is fundamental to gaining a clear and deeper understanding of the individual components and standards.

Subsequent presentations will delve into the details of each component individually.

Form Based Codes: How are they different?



“Form-based” zoning is one of a number of different types of tools and techniques used in land development regulations (or zoning) across the country.

Traditionally, zoning techniques have been **use-based** with land use serving as the foundation upon which all other development regulations are based. Also known as “Euclidean” zoning, the purpose was to separate land uses from one another as a means of mitigating impacts from conflicting uses.

While this was largely successful at keeping industrial uses out of residential areas, it also has been a significant factor in contributing to suburban sprawl. And because the physical form that the development takes is of secondary interest, the design of new development can often be out of context without the use of other regulatory tools which in-turn make the process more complicated and highly subjective.

In contrast, FBC’s use the physical **form** of development as the foundation for the regulations. The regulations are built around a community’s aspirations for how new development should fit within and form a neighborhood or downtown area. They emphasize place-making and what we want new development to produce for the benefit of the community by giving specific consideration to the pedestrian experience.

Use is of course still a consideration, but the physical dimensions and characteristics of blocks, lots and buildings help to define and control the types and range of uses that can be accommodated.

Form Based Codes: The “What” and “Why”

Expressly designed and intended to:

- **Create places that are highly accommodating and attractive for pedestrians**
- **Create places that strengthen and sustain economic viability**
 - Enable a rich **mixture** of character, uses and activities
 - Encourage the **intensity** of uses and activities
 - Support **proximity** of uses and activities to one another and to transit
 - Emphasize and enhance the **visual quality and characteristics** of development
 - Respect and advance the **existing patterns** and character of development



This...

...or this?



Form based codes are particularly well-suited for creating places where people – **particularly pedestrians** - want to be – mixed-use downtowns and compact residential neighborhoods. This is critical to sustaining and enhancing economic vitality because the most important factor in attracting people to a place is in fact...other people.

More than 250 adopted FBC's are in place across the country including:

- Miami and Denver
- Cincinnati, Nashville, and Petaluma and Ventura, CA
- Flagstaff, AZ, Kauai, HI and Beaufort, NC
- Yarmouth ME, Newport, VT, and Portsmouth and Dover, NH

The concept is far from new however. Communities have struggled with a number of ways to regulate the form that new development takes for decades. Burlington's zoning regulations have been evolving towards being increasing form based since we first adopted “design review” standards in the early 1970's.

Form Based Codes: The “What” and “Why”

- Highly **graphical**
- **Objective** standards
- **Prescriptive** rather than permissive
- Largely “**by right**” rather than discretionary approval process
- Emphasizes how **people** relate to and **experience** development

What this means...

- More **predictable results**
- **Greater certainty** for the public, confidence for investors, and assurance that a community’s vision actually comes to life.



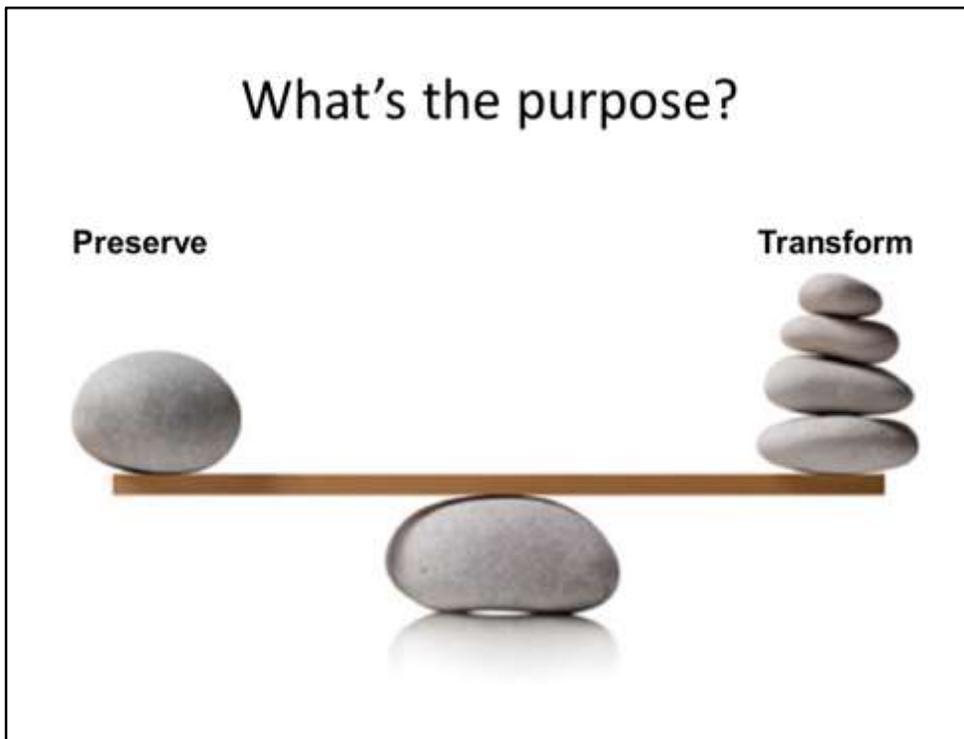
14.5.3-C - Size

Depth, Clear	8' min.	(A)
Length	50' max.	(B)
Depth of recessed entries	5' min.	(C)
Path of travel	3' width min.	(D)
Finish level above sidewalk	10" max.	(E)
Finish level below sidewalk	10" max.	(F)

FBC’s are also about providing clarity and predictability in the application and review process. They incorporate lots of pictures and graphics making them easy to understand and follow. They clearly prescribe the essential characteristics of everything they regulate.

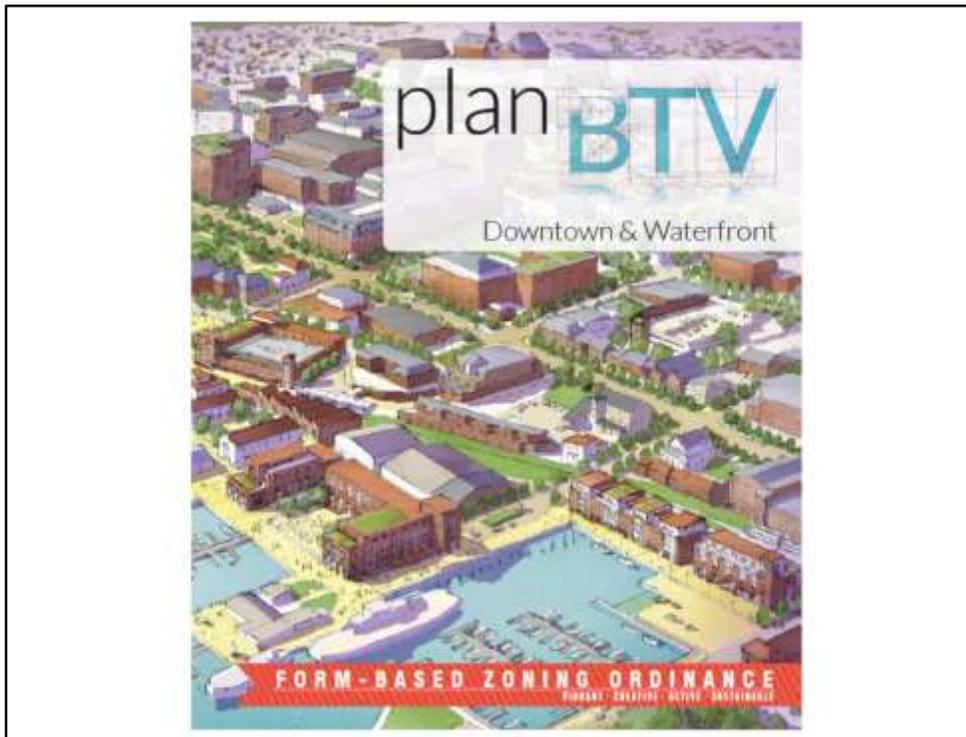
This enables a more straight-forward and objective level of review that can be accomplished largely administratively without a lengthy subjective and discretionary review process.

This is critical to ensuring a level of predictability and certainty to the regulatory process. This is of great benefit to applicants who are putting their investment capital at great risk, and to the community that will have to live with the result.



FBC's are highly adaptable. Depending on the community's objective, FBC's can be equally well-suited to **preserve** in-place a historic neighborhood, completely **transform** a suburban strip, or **facilitate incremental change** within an already developed downtown.

It is critical that the purpose behind the use of a form-based tool is clear so that the outcome meets the expectations. This is why a community-based planning process typically precedes the creation of any form-based regulations.



So with that as a background, let's focus on what we have been working on for BTV...

This version (v 8?) (you will be getting copies in the coming days) is the result of months of work. We started with an initial draft prepared by our consultants (TPUDC) that has since been significantly revised and re-worked by Planning staff. We have added to this ideas and techniques found in several other state-of-the-art codes currently in use to ensure it works within our existing CDO and in Burlington.

Over the course of the past several months we have asked several people – the “Think Tank” of architects, LA's and developers; other City staff; and our consultant team - to look at it closely and critically, and give us their feedback which has been tremendously helpful.

Our next step - happening in parallel to the work of this Joint Committee – will be to actually test it on existing developments and ask a handful of design professionals to test it on some existing sites. We will be sharing the results of this work with you as we have it.

Form Based Code: The Purpose

- To **implement the community vision** established by the *planBTV: Downtown and Waterfront Master Plan*.
- To **promote and advance new infill development and adaptive re-use** that reflects Burlington's character and sense of place while taking advantage of limited opportunities for new development at modestly larger scales and densities where appropriate.
- **Modernize Burlington's permitting process** with a regulatory tool that combines clear and objective regulatory standards with a timely and predictable review process.



Fundamentally our development and use of a FBC is about:

- Implementing the vision for the downtown and waterfront adopted in planBTV: Downtown and Waterfront
- and in so doing, facilitating opportunities to realize new infill and taking advantage of opportunities to develop under-developed sites
- Finally it's about modernizing the regulations and the process. We've been trying to use a more form based approach in our zoning code since we first adopted Design Review in 1973. Today we are completing this task with modern tools.



So what did the plan have to say about future development in and around our downtown?

New infill development: We must encourage new development in order to make our economy sustainable and our downtown vibrant – development for people to live, to work, to shop and to enjoy. While we have many wonderful buildings and civic spaces that set us apart from “just any other place,” there are lots of sites where new development can go that will add to and diversify our collection, enrich our local economy and make BTV an even better place to be.

Great urbanism: Being a truly vital and active urban place means we need to think in terms of time-tested design principles that are at the foundation of successful communities around the world, and make sure that as Burlington continues to grow, new development reinforces and builds upon the existing pattern and scale.

Form Based Code: What's different?

- **We understand what we have:**
 - Standards are based on actual types, scale and pattern of existing development.
 - Existing regulatory standards are used where they support this goal.
- **We focus on what's most important:**
 - Primary focus is along the Private Frontage where the development is actually experienced by most people. Side and rear areas are of lesser interest.
 - The height and form of buildings control the overall density.
 - Building height is controlled relative to the number of stories. Height of each story is controlled depending if it's at the ground level or above.
 - Development is allowed by-right rather than via a discretionary review and bonuses
 - Building Types and Frontage Types play important role in guiding uses.
- **We plan for future:**
 - Taller buildings are permitted within the core where they have the least impact on existing scale and there is greatest opportunity to maximize infill potential

We aren't trying to create something new – a new community or downtown center. We love what we have and are trying to ensure that we maintain and expand upon an existing pattern of development and the general intent behind the existing regulations. But we also understand that there are limited opportunities to do something a little more, a little different where the historic pattern has already been disrupted or never really established itself.

We are focused on those aspects or elements of new development that we experience the most, and that play the most significant role in how we experience a place as a pedestrian. And we focus on how the physical form that development takes effects how we perceive and experience it.

Finally, we recognize that we can't, and in fact shouldn't even try, control every aspect of new development. We have to allow for a certain degree of flexibility in how new development happens within the prescribed standards. Every site and every project has its own unique challenges and opportunities, and by providing for a greater degree of flexibility we can also be assured of greater variation of design and form which is an important community goal.

Components of the Form Based Code



- Regulating Plan
- Form District Standards
- Building Type Standards
- Private Frontage Type Standards
- Sign Standards
- Civic Space Standards
- Urban Design Standards
- Landscape Standards

14.3.7 - F05 - DOWNTOWN CENTER

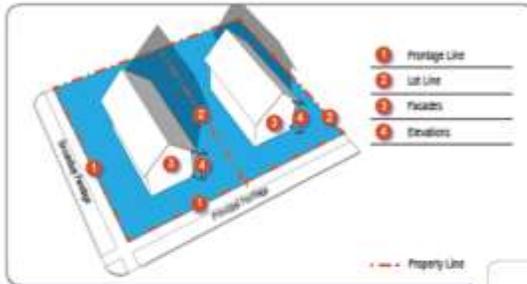
F05



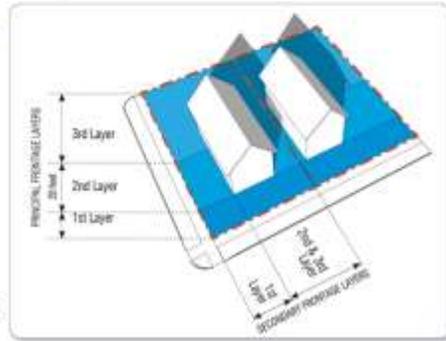
Like many FBC's, ours includes a common set of components, and offers diverse palate of regulatory tools for guiding development in the direction we want it to go.

Some of these are very similar to components of our existing regulations, while others are new and provide a clearer and more robust set of standards.

Form Based Code: Important Concepts



Frontages and Facades



Lot Layers

So before we go into any further, a few critical terms – some that you have heard before and others that may be new to you. Developing an understanding of the language of the FBC is critical to understanding how it works.

Frontage: A front property line separating the private lot from the public right-of-way, Civic Space or lakeshore. A corner lot has two: a Principal and Secondary Frontage.

Façade: The building wall or elevation facing a Frontage

Lot Layers:

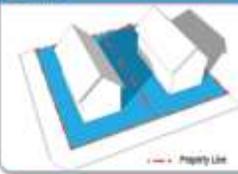
- 1st: frontage line to building façade
- 2nd: 20-ft back from building façade
- 3rd: remainder of the lot

Form Based Code: Important Concepts

Yard Types

Edgeyard

Permitted Districts: [CDM-C1](#) [CDM-C2](#)

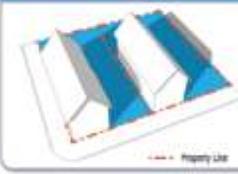


Specific Types – single family house, cottage, villa, mobile house, urban villa. A building that occupies the center of its lot with setbacks on all sides. This is the most urban of types as the rear yard sets it back from the frontage, while the side yard makes the spatial definition of the public thoroughfare space. The rear yard is intended to be visually continuous with the yards of adjacent buildings. The rear yard can be screened for privacy by fences and a well-placed backscreening and/or courtyard.

Property Line

Sideyard

Permitted Districts: [CDM-C1](#) [CDM-C2](#)

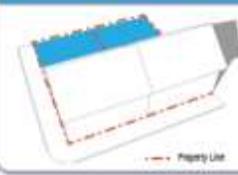


Specific Types – single house, duplex, row on the house. A building that occupies one side of the lot with the setback to the other side. A shallow frontage setback defines a more urban condition. If the adjacent building is similar with a shared wall, the yard can be quite private. This type permits systematic climatic orientation in response to the sun or the breeze. In a detached house about a neighboring 2-story house, the type is known as a town or double house. Energy costs and sometimes noise, are reduced by sharing a party wall in this disposition.

Property Line

Rearyard

Permitted Districts: [CDM-C1](#) [CDM-C2](#)



Specific Types – Rowhouse, Rowhouse town-house, row, loft building, Apartment house, Mixed Use Block, Five Building pedestrian block. A building that occupies the full frontage, leaving the rear of the lot as the rear yard. This is a very urban type as the continuous facade directly defines the public thoroughfare. The rear condition may be articulated for functional purposes. In US Residential form, this type is the Rowhouse. For its Commercial form, the rear yard can accommodate substantial parking.

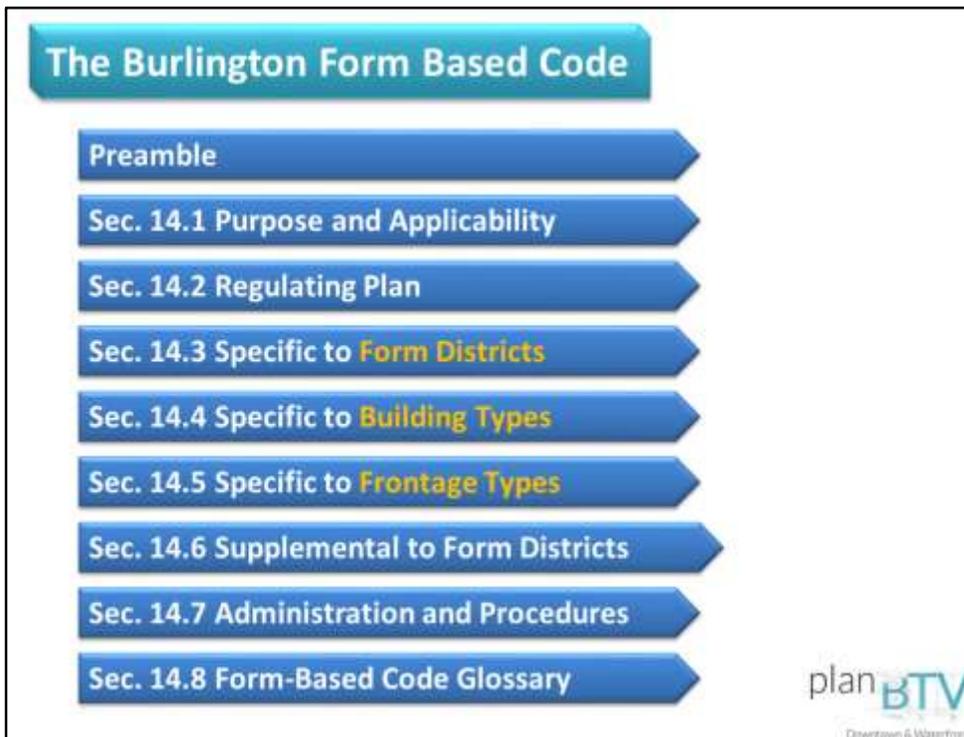
Property Line



...and Yard Types which describe the ways buildings physically sit on a lot and relate to the Frontage and one-another:

- **Edgeyard**: building sits with a yard all around it.
- **Sideyard**: building sits on a side yard line with a yard to one side.
- **Rearyard**: building sits on a Frontage line with a yard to the rear.

This concept is critical to understanding context and patterns of existing and desired development.



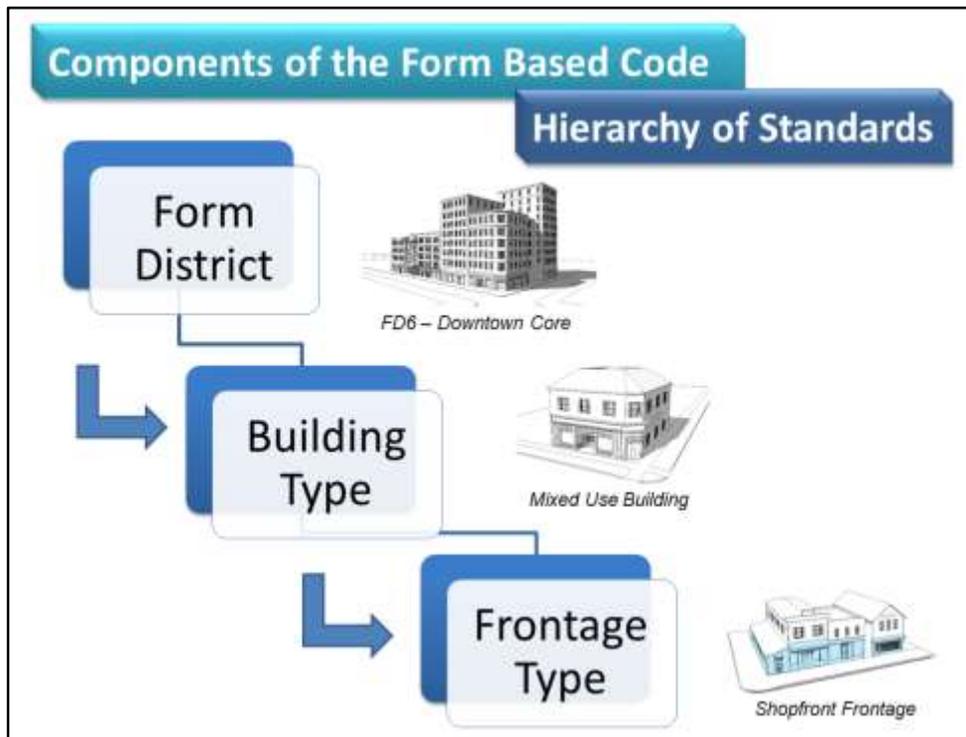
Our new FBC is organized as a new Article (“Article 14”) within the existing CDO and replaces either in whole or in part portions of the current CDO – specifically:

- all of Sec. 4.4.1 regarding Downtown Mixed Use Districts;
- a portion of Sec 4.4.3 regarding Enterprise Districts;
- a portion of Sec. 4.4.5 regarding Residential Districts;
- a portion of Article 5; and,
- all of Article 5 (General), 6 (Design Review), 7 (Signs) and 8 (Parking)

It is laid-out and organized in such a way that it can be expanded with other areas of the city in the future.

The bulk of the regulations are found within three sections focused on Form Districts, Building Types and Frontage Types.

The FBC (or any regulations for that matter) is not intended to be read like a book – there is no flow from beginning to middle to end. Think of it instead as a menu. You can pick from a host of available options specific to the applicable menu beginning with the Form District where the property is located.



Our Code is organized around a simple hierarchy with the Form District serving as the foundation or starting point. Each Form District controls the various Building Types that are permitted in the district, and each Building Type controls the various Frontage Types that may be associated with that Building Type.

Form Districts: similar to zoning districts which divide a community (or part of a community) into areas of common development characteristics.

Building Type: describes the generic form and characteristics of a variety of different types of buildings. The regulations are not about architecture or use, but instead the basic form of the building.

Frontage Type: describes the area between the Facade of the building and the Frontage line, inclusive of its built and planted components. It's about how people on the outside understand, experience and gain access to the building.

Components of the Form Based Code

Regulating Plan



Illustrates:

- Form Districts
 - FD4 Downtown Neighborhood
 - FD5 Public Trust
 - FD5 Art and Industry
 - FD5 Downtown
 - FD6 Downtown Core
 - Civic Spaces (Parks)
 - Railyard/Wastewater Special District
- Special Requirements
 - Building Height Limits
 - Shopfront Required

The Regulating Plan is a Zoning Map defining **WHERE** development of certain types can occur based on the delineation of the Form Districts.

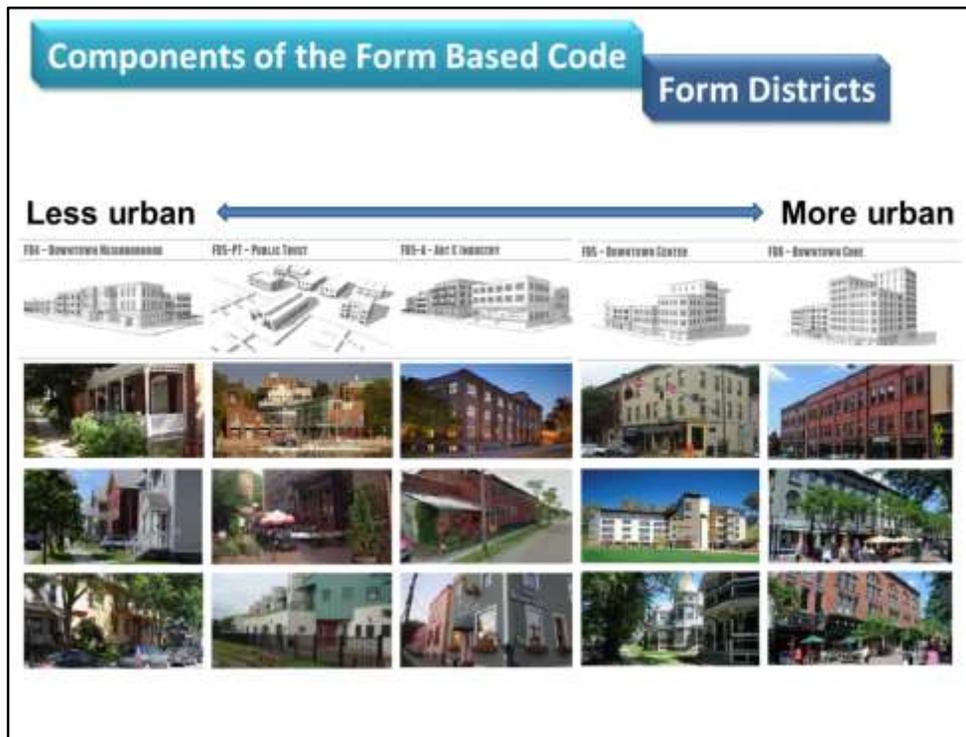
This map is VERY similar to the current zoning districts in this part of the city, and is limited to the approximate extent of the study area for the plan.

Components of the Form Based Code Regulating Plan



The Regulating Plan also includes two maps that illustrate:

- Areas where special height limits apply - providing variation (taller or shorter) from what is generally specified in a Form District in order to address specific objectives in specific places.
- Areas where Shopfront Frontage Types are required - to activate the streetscape to support retail and hospitality uses for a richer pedestrian experience.



The Code begins with, and is grounded in, a series of “Form Districts.”

Form Districts are similar to zoning districts which divide a community (or part of a community) into areas of common development characteristics.

These Form Districts form the foundation for all other development standards by defining where on a lot development may be located and its intensity, the building types and heights that are permitted, and permitted and conditionally permitted uses.

The Form District concept design is organized along a transect that describes development from the most to least urban places within a community following the organizational structure found in the *Smart Code* originally developed by Duany Plater-Zyberk & Company.

Components of the Form Based Code

Form Districts

11.2.1-B - Allowed Building Types

Building Type	Restrictions
Garage House	Section 11.2.1-B
Manufacturing	Section 11.2.1-B
Office	Section 11.2.1-B
Warehouse	Section 11.2.1-B
Multi-Family (Single)	Section 11.2.1-B
Multi-Family (Large)	Section 11.2.1-B
Apartment	Section 11.2.1-B
Hotel/Motel	Section 11.2.1-B
Club	Section 11.2.1-B

11.2.1-C - Building Form

Building Form	Restrictions
Prohibited Building	2 stories max 3 stories max
Permitted Building	2 stories max 3 stories max

11.2.1-D - Lot Occupation & Allowance Placement

Allowance	Restrictions
Open Parking	2,000 sq ft
Lot 50%	50% max - 10' min
Lot Coverage	60%
Permitted Building	100' max - no setback
Office	40' setback
Manufacturing and Warehouse	10' x 12' min

Building Form	Restrictions
Prohibited Building	2' min / 12' max 10' min / 10' max
Permitted Building	4' min / 2' min
Prohibited Building	0' min
Permitted Building	0' min

When existing adjacent buildings are in front of the required setback, the building may be set to align with the front building facade or the most restrictive setback location.

*2' front setback is allowed for some uses.

*12' side setback is allowed for certain uses. Maximum building height is 12' max. See Form-based Building Code (FBC). Also see setbacks and additional requirements and restrictions related to the ordinance.

Restrictions:

Use of most Permitted Buildings of the Form-based Building Code is most subjecting to the use of the Prohibited Building, may be built on multiple lots.

These restrictions shall not create barriers to development. Districts can always allow other uses and setbacks. Form-based Building Code is always being reviewed.

11.2.1-E - Parking, Loading & Driveway

Restrictions:

Open Parking: No off-street parking required and no off-street parking may be prohibited.

Use of 50% of the lot for open parking may be allowed as a condition of use in all uses except where prohibited by zoning or other applicable laws.

See Section 11.2.1-E (Supplemental to Form District - Parking, Loading, Driveway and Driveway for specific requirements and restrictions related to the ordinance).

Restrictions on the Lot:

Use of open parking, loading, parking areas and driveways shall be subject to the District or Form-based Building Code.

Designs shall show parking spaces shall be minimum of 8' x 12' (8' x 12' for the width of the Permitted Building and required to be in a separate building volume).

Parking areas and driveways shall be set back from the side and rear of the lot.

Restriction Type	Restrictions
Open Parking	2,000 sq ft
Lot 50%	50% max - 10' min
Lot Coverage	60%
Permitted Building	100' max - no setback
Office	40' setback
Manufacturing and Warehouse	10' x 12' min

11.2.1-F - Encroachments - Required Setbacks

Encroachment Type	Restrictions
Prohibited Building	2' min / 12' max
Permitted Building	4' min / 2' min
Prohibited Building	0' min
Permitted Building	0' min

When existing adjacent buildings are in front of the required setback, the building may be set to align with the front building facade or the most restrictive setback location.

*2' front setback is allowed for some uses.

*12' side setback is allowed for certain uses. Maximum building height is 12' max. See Form-based Building Code (FBC). Also see setbacks and additional requirements and restrictions related to the ordinance.

Restrictions:

Use of most Permitted Buildings of the Form-based Building Code is most subjecting to the use of the Prohibited Building, may be built on multiple lots.

These restrictions shall not create barriers to development. Districts can always allow other uses and setbacks. Form-based Building Code is always being reviewed.

11.2.1-G - Encroachments - Required Setbacks

Restrictions:

Open Parking: No off-street parking required and no off-street parking may be prohibited.

Use of 50% of the lot for open parking may be allowed as a condition of use in all uses except where prohibited by zoning or other applicable laws.

See Section 11.2.1-E (Supplemental to Form District - Parking, Loading, Driveway and Driveway for specific requirements and restrictions related to the ordinance).

Restrictions on the Lot:

Use of open parking, loading, parking areas and driveways shall be subject to the District or Form-based Building Code.

Designs shall show parking spaces shall be minimum of 8' x 12' (8' x 12' for the width of the Permitted Building and required to be in a separate building volume).

Parking areas and driveways shall be set back from the side and rear of the lot.

Encroachment Type	Restrictions
Prohibited Building	2' min / 12' max
Permitted Building	4' min / 2' min
Prohibited Building	0' min
Permitted Building	0' min

11.2.1-H - Signs

Sign Type	Restrictions
Prohibited Building	2' min / 12' max
Permitted Building	4' min / 2' min
Prohibited Building	0' min
Permitted Building	0' min

When existing adjacent buildings are in front of the required setback, the building may be set to align with the front building facade or the most restrictive setback location.

*2' front setback is allowed for some uses.

*12' side setback is allowed for certain uses. Maximum building height is 12' max. See Form-based Building Code (FBC). Also see setbacks and additional requirements and restrictions related to the ordinance.

Restrictions:

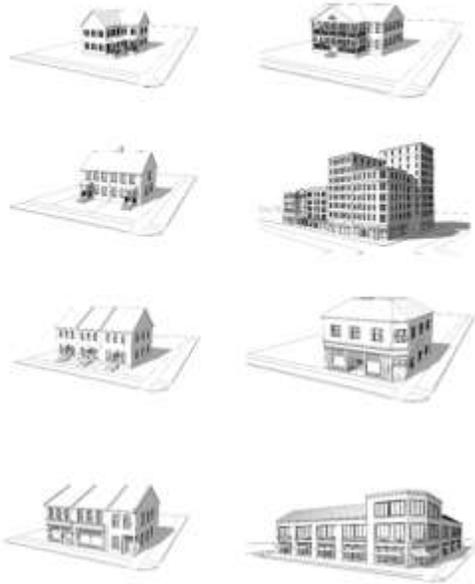
Use of most Permitted Buildings of the Form-based Building Code is most subjecting to the use of the Prohibited Building, may be built on multiple lots.

These restrictions shall not create barriers to development. Districts can always allow other uses and setbacks. Form-based Building Code is always being reviewed.

...which is then followed by a set of standards regarding the allowed Building Types, building form (height), yard types, lot occupation (coverage and setbacks), parking and loading, allowed encroachments into setbacks (and ROW), sign types and finally uses.

Components of the Form Based Code

Building Types



- Carriage House
- Small House
- Large House
- Duplex
- Rowhouse
- Multi-Family
- Work-Live
- Mixed Use
- Perimeter Building
- Civic Building

The next component of the code concerns itself with Building Types. Here is where a FBC begins to diverge in a significant way from a conventional use-based zoning ordinance.

Building types describe the generic form and characteristics of a range of buildings that may be permitted within any Form District. Building types don't address uses specifically, but as you will see use is often inherent to the characteristics of a particular type of building based on its form, size and other characteristics.

Components of the Form Based Code Building Types

14.4.5 - DETACHED HOUSE



14.4.5-C - Allowed Frontage Types

Front	Section 14.4.5.C
Back	Section 14.4.5.C
Side	Section 14.4.5.C
Corner	Section 14.4.5.C

14.4.5-F - Pedestrian Access

Open to public access

14.4.5-G - Description

Residential building with a detached garage or carport or driveway and a detached driveway and/or an attached driveway. May include a detached garage and/or a detached carport.

14.4.5-H - LOT

Min. lot width: 30' min.

14.4.5-I - Number of Units

Min. no. units: 1 min.

14.4.5-J - Building Size and Massing

Height: 3 stories max.

Min. lot area: 30' x 30'




Section 14.4.5.J on this page and illustrations and footnotes.

14.4.5

14.4.11 - MIXED-USE



14.4.11-B - Allowed Frontage Types

Front	Section 14.4.11.B
Back	Section 14.4.11.B
Side	Section 14.4.11.B
Corner	Section 14.4.11.B
Corner & Lotline	Section 14.4.11.B
Street	Section 14.4.11.B
Other	Section 14.4.11.B

14.4.11-C - Description

Residential building with a ground floor or ground floor and upper floors which are used for commercial or office use.

14.4.11-D - Number of Units

Min. no. units: 1 min.

14.4.11-E - Building Size and Massing

Height: 3 stories max.

Min. lot area: 30' x 30'

Section 14.4.11.E on this page and illustrations and footnotes.

14.4.11-F - Pedestrian Access

Open to public access



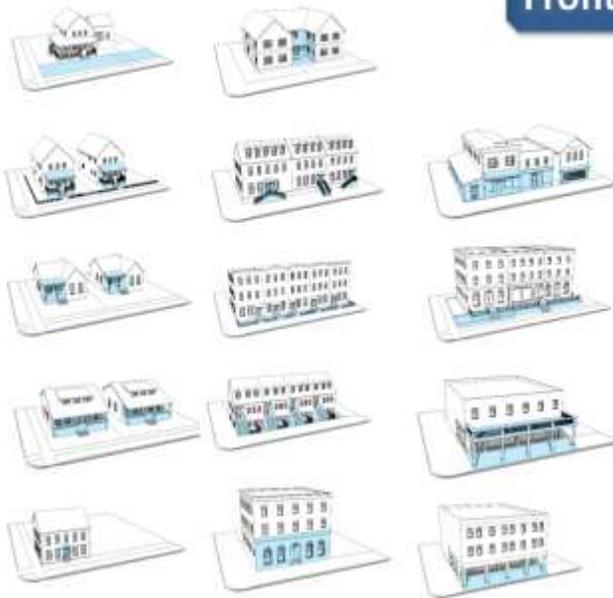
14.4.11

Like with Form Districts the purpose and intent behind each Building Type is described and illustrated which is then followed by a set of standards regarding the number of units, size and massing of the building, allowed Frontage Types, and location of pedestrian access.

The FBC does **not** dictate pre-defined architectural styles - making time stand still or preventing the creation of something bold and exciting. Instead it concentrates on urban design fundamentals regarding building **placement, configuration, proportions, lot occupation** and **relationships** that are the foundation of all successful and vibrant urban places around the world, and tailored to the characteristics of the form we are trying to create.

Components of the Form Based Code

Frontage Types



- Porch
- Engaged Porch
- Integrated Porch
- Door Yard
- Doorstep
- Stoop
- Lightwell
- Terrace
- Shopfront
- Officefront
- Arcade
- Gallery

And the last major component is the Private Frontage Type.

Private Frontage Types describe the various ways that a building interfaces with the public realm and specifically the area between the Facade of the building and the Frontage line, inclusive of its built and planted components.

It's about how the building interacts with the public realm, and ultimately how people interact with the building, and understand, experience and gain access to it.

Components of the Form Based Code

Frontage Types

14.5.8 - PORCH- INTEGRAL



Diagrams and photos on this page are illustrative only.

14.5.8 - Reception
A porch extends to cover at least 50% of the main entrance of the building, having a minimum clearance for pedestrians of 7 feet 6 inches. Porches for wheelchair access shall be 6 feet 6 inches deep in the clear width. Porches for wheelchair access shall be 6 feet 6 inches deep in the clear width.

14.5.8 - Access Way
Minimum Depth: 6 feet 6 inches

14.5.8 - Size

Depth	6' 6" min.
Width	6' 6" min.
Height	7' 6" min.

14.5.8 - Miscellaneous
A porch shall be a minimum of 6 feet 6 inches deep and 6 feet 6 inches wide. A porch shall be a minimum of 6 feet 6 inches deep and 6 feet 6 inches wide. A porch shall be a minimum of 6 feet 6 inches deep and 6 feet 6 inches wide.



14.5.12 - SHOPFRONT



Diagrams and photos on this page are illustrative only.

14.5.12 - Reception
A porch extends to cover at least 50% of the main entrance of the building, having a minimum clearance for pedestrians of 7 feet 6 inches. Porches for wheelchair access shall be 6 feet 6 inches deep in the clear width. Porches for wheelchair access shall be 6 feet 6 inches deep in the clear width.

14.5.12 - Access Way
Minimum Depth: 6 feet 6 inches

14.5.12 - Size

Depth	6' 6" min.
Width	6' 6" min.
Height	7' 6" min.

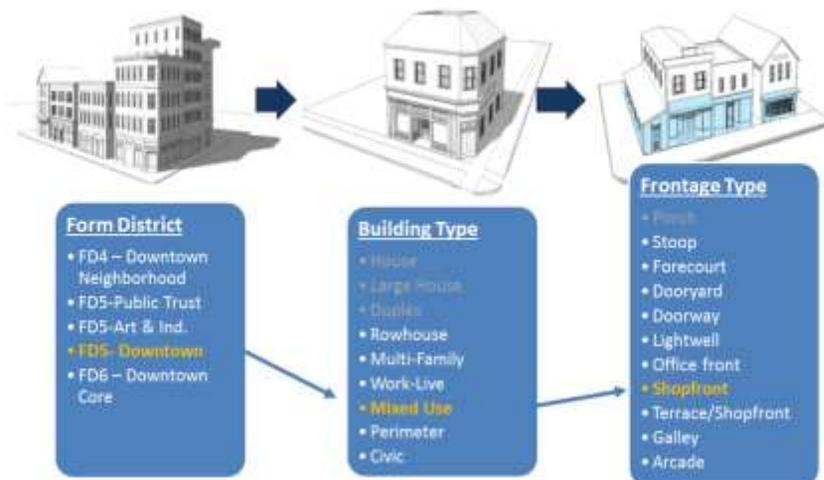
14.5.12 - Miscellaneous
A porch shall be a minimum of 6 feet 6 inches deep and 6 feet 6 inches wide. A porch shall be a minimum of 6 feet 6 inches deep and 6 feet 6 inches wide. A porch shall be a minimum of 6 feet 6 inches deep and 6 feet 6 inches wide.



And again like with Form Districts and Building Types, the purpose and intent behind each Frontage Type is described and illustrated.

This is then followed by a set of specific standards regarding size, clearance, location and any other characteristics unique and important to the type of frontage.

Components of the Form Based Code



So to reinforce how this works...

The FBC (or any regulations for that matter) is not intended to be read like a book – there is no flow from beginning to middle to end. Think of it instead as a menu of a restaurant – Breakfast, Lunch and Dinner or Appetizers, Soup & Salad, Entries, Deserts and Beverages.

You can pick from a host of available options specific to the applicable menu beginning with the Form District where the property is located.

Examples for FD4: Downtown Neighborhood



House



Integrated Porch



Multi-family Small



Engaged Porch



Duplex



Porch



Examples for FD5: Downtown



Mixed-Use



Shopfront



Mixed-Use



Officefront



Mixed-Use



Terrace



Shopfront



Components of the Form Based Code

Sec. 14.6 Supplemental to Form Districts

- Topography and Site Grading Requirements
- Building Height Measurement
- Historic Building and Districts
- Special Use Regulations
 - Day Care
 - Historic Inns
 - Automobile Service and Repair, and Fuel Sales
 - Community House
 - Home Occupations
 - Crisis Counseling Center
 - Outdoor Dining and Entertainment
 - Solid Waste Storage Areas
- Parking, Loading, Service and Driveways
- Sign Standards
- Urban Design Standards
- Landscape Standards
- Civic Space Standards



Illustration 14.6.4.1 - Appropriate Site Grading

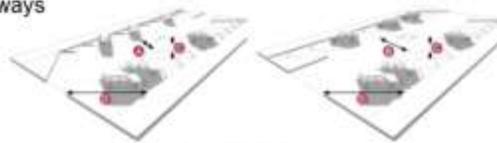


Illustration 14.6.4.2 - Parking Dimensions

The remainder of the FBC provides general requirements, the application and review process, and a glossary of FBC-specific terms.

This section of the code includes a variety of generic standards that are applicable everywhere unless superseded by a more specific requirement found in a Form District, Building Type, or Frontage Type standard.

Historic Buildings currently references the process and standards already in-use within the existing CDO.

Special Use Regulations come directly out of the existing CDO, and are retrofitted to fit the FBC terminology and process.

Components of the Form Based Code

Sign Types

14

Table 14.0.10-B - Sign Types Overview

Sign Type	Description	Permitted	Excluded
Awning Sign This sign type encompasses a variety of signs that are attached to, extending and over an adjacent building facade.		NS NS-B NS-B-F NS-F NS Signage District	NS-B-F
Blade Sign This sign type is a blade-shaped sign that is attached to the exterior facade and sign carrier.		NS NS-B NS-B-F NS-F NS Signage District	NS-B-F
Marquee Sign This sign type consists of a flat or curved sign carrier attached to a building, facing the facade of a building or building facade.		NS NS-B NS-B-F NS-F NS Signage District	NS-B-F
Outdoor Display Case This sign type consists of a window or door that is covered with a transparent window or window, mounted with a building part of the building facade. It is used for product, such as historical items, to be displayed and for sale.		NS NS NS-B NS-B-F NS-F NS Signage District	NS-B-F
Wall Sign This sign type is attached to the exterior wall and is used to display a sign or sign carrier on the exterior of a building.		NS NS NS-B NS-B-F NS-F NS Signage District	NS-B-F
Window Sign This sign type is attached to the exterior of a building window or sign carrier on the exterior of a building.		NS NS NS-B NS-B-F NS-F NS Signage District	NS-B-F

- Awning Sign
- Blade Sign
- Blade Sign
- Freestanding Sign
- Marquee Sign
- Nameplate
- Outdoor Display Case
- Wall Sign
- Window Sign

One important part of this component are Sign Types. Sign Types are organized and regulated in much the same way as Building or Frontage types where permitted in a Form District. This section replaces Article 7 of the CDO entirely within the form based districts.

Components of the Form Based Code

Sign Types

14
14

14.21.0 - SIGNAGE



Description
This sign type is a sign that is attached to the exterior of a building or structure and is illuminated from the front.

Specifications

Quantity	1 per storefront
Area	15% of the sign
Height	6 feet
Depth	2 feet
Letter Height	1.5 inches

Notes
This sign type is subject to the following restrictions: lighting, and placement.

14.21.1 - BLANK SIGN



Description
This sign type is a sign that is attached to the exterior of a building or structure and is illuminated from the front.

Specifications

Quantity	1 per storefront
Area	15% of the sign
Height	6 feet
Depth	2 feet
Letter Height	1.5 inches

Notes
This sign type is subject to the following restrictions: lighting, and placement.

14.21.2 - ILLUMINATED SIGN



Description
This sign type is a sign that is attached to the exterior of a building or structure and is illuminated from the front.

Specifications

Quantity	1 per storefront
Area	15% of the sign
Height	6 feet
Depth	2 feet
Letter Height	1.5 inches

Notes
This sign type is subject to the following restrictions: lighting, and placement.

14.21.3 - WALL MOUNTED SIGN



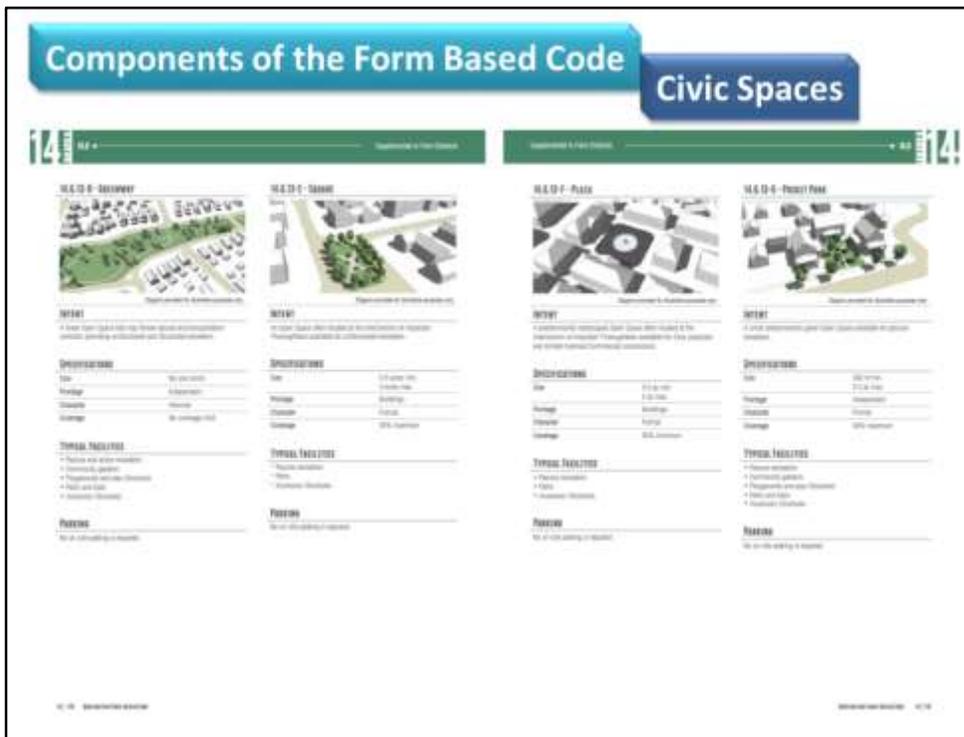
Description
This sign type is a sign that is attached to the exterior of a building or structure and is illuminated from the front.

Specifications

Quantity	1 per storefront
Area	15% of the sign
Height	6 feet
Depth	2 feet
Letter Height	1.5 inches

Notes
This sign type is subject to the following restrictions: lighting, and placement.

The Form District identify the specific sign types that are allowed and the total number of signs, and this section outlines the specific characteristics of the signs themselves – size, height, area, projection, lighting, etc.



The standards include the important characteristics that are used to define and differentiate various Civic Spaces. The two most important characteristics are how they relate to neighboring properties (Frontage) and the Form.

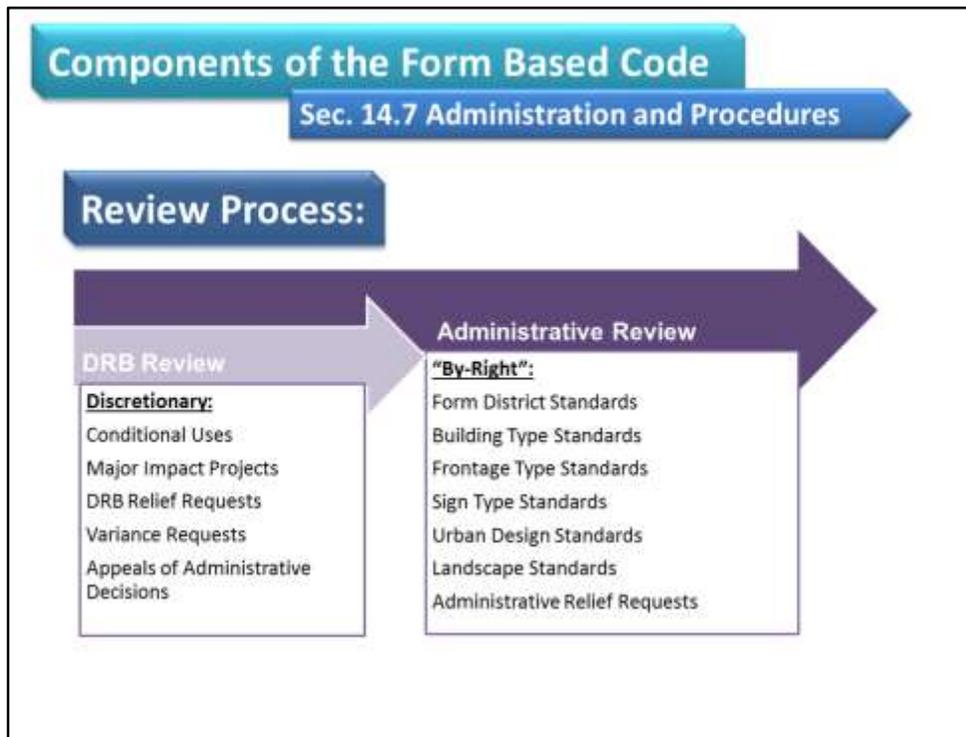
Frontage. The relationship along property lines of a Civic Space to adjacent buildings or lots.

- **Building:** building façades are oriented to face on to the Civic Space for a minimum of three quarters of the Civic Space perimeter.
- **Independent:** land next to or across a Thoroughfare from Civic Space are independent from Civic Space.

Form. The placement and disposition of objects within the Civic Space.

- **Natural.** Civic Spaces are designed in a natural manner with no formal arrangement of elements.
- **Formal.** Civic Spaces have a more rigid layout that follows geometric forms and has Trees and other elements arranged in formal patterns.
- **Informal.** Civic Spaces have a mix of both Formal and Natural characteristics.

Additional standards regarding size, lot coverage, typical facilities and parking are also included.



This section of the Code explains the process for submitting an application and the review process.

As noted before, most projects following the FBC are reviewed and approved administratively “by-right.” This means that if they meet **all** of the requirements of the code, they are entitled to a permit issued administratively by staff. This can happen because the FBC provides a comprehensive set of clear and objective standards which all development much meet leaving very little room for discretion in decision-making.

In fact currently ~90% of all zoning permits are already issued this way and never go through a longer and more expensive discretionary process. The difference is that under the form based code larger projects (i.e. >\$25,000 in estimated construction costs - ~120 applications /yr) would be able to take advantage of this process provided they meet **all** of the requirements of the code.

Certain projects however (involving a Conditional Use or Major Impact, or seeking relief or a variance) will still need to go through a discretionary review by the DRB – at least in-part (~40 applications/yr).

The difference is that once the DRB has approved the conditional use, or found a project will not present a “major impact” on the environment or city services, it would then be reviewed by staff under the form based standards. In this way the DRB’s review is greatly shortened and limited to only the applicable criteria necessary to approve the Conditional or Major Impact review, relief or variance, and will not include any elements of site or building design which are prescribed within the FBC.

Components of the Form Based Code

Sec. 14.7 Administration and Procedures

Varying the Form:



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 minimum lot width requirements.	+/- 20% not to exceed 5 feet	The property can be developed following the intent and all other applicable standards of the character 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 Character Districts, Special Districts and Civic Spaces; Table 14.14-0 - Lot Occupation & Building Placement
Building Setbacks: A building setback may vary from the minimum or maximum setback requirements.	20% rule	The property can be developed following the intent and all other applicable standards of the character 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 Character Districts, Special Districts and Civic Spaces.
Parking Location: Parking Areas may be located in the Second Lot Layer.	Up to 25% of the frontage may be occupied by parking.	to ensure that 25% of the frontage shall be occupied by parking and it shall be screened from view along the frontage.	Section 14.3; Specific to Character Districts, Special Districts and Civic Spaces
Building Height: Building height may increase where on a zoning lot.	2 additional floor in height.	Granting the relief will enable compliance with the Principal Entrance Level requirements without compromising the second ground level floor-to-ceiling height.	Section 14.3; Specific to Character Districts, Special Districts and Civic Spaces; Section 14.5; Specific to Frontage Types and Section 14.6.5 Building Height
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. The property can be developed following the intent and all other applicable standards of the character 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 Character Districts, Special Districts and Civic Spaces; Section 14.6.8 Supplemental to Character Districts—Topography and Hillside Requirements

Finally, we recognize that the form based requirements can be very restrictive and may not always work in every situation. We also don't want to stifle creativity – in fact we want to encourage and support it. So flexibility is built into the code.

As such we include three opportunities to seek and grant relief from a specific standard are provided:

- **Administrative Relief** – as provided for within the Code for specific situations and with prescribed limitations and requirements;
- **DRB Relief** - Relief from any non-numerical standard, and any numerical standard by no more than 20%, with prescribed findings;
- **Variance** – a last resort enabled under state law but subject to very strict findings

The Burlington Form Based Code

Preamble

Sec. 14.1 Purpose and Applicability

Sec. 14.2 Regulating Plan

Sec. 14.3 Specific to **Form Districts**

Sec. 14.4 Specific to **Building Types**

Sec. 14.5 Specific to **Frontage Types**

Sec. 14.6 Supplemental to Form Districts

Sec. 14.7 Administration and Procedures

Sec. 14.8 Form-Based Code Glossary

plan **BTV**
Downtown & Waterfront

Subsequent presentations will delve into the details of each component individually beginning with the Form Districts and Regulating Plan.