PUBLIC HEARING NOTICE

Burlington Comprehensive Development Ordinance

Pursuant to 24 V.S.A. §4442 and §4444, notice is hereby given of a public hearing by the Burlington City Council to hear comments on the following proposed amendment to the City of Burlington's *Comprehensive Development Ordinance* (CDO):

ZA-18-01 plan BTV: Downtown Code*

The public hearings will take place on **Monday, October 16, 2017 during the Regular City Council Meeting which begins at 7:00 pm in Contois Auditorium, Burlington City Hall, 149 Church Street, Burlington, VT.**

Pursuant to the requirements of 24 V.S.A. §4444(b):

Statement of purpose: The purpose of this amendment is to establish a new Article 14-*planBTV Downtown Code* that will regulate all development in the Downtown and Waterfront district, emphasizing the intended physical form, character of place, and compatibility of uses. This amendment replaces all existing regulations pertaining to development in the Downtown, Downtown Waterfront, Downtown Transition and Battery Street Transition zoning districts.

Geographic areas affected: This amendment applies to all parts of the downtown and waterfront area presently in the Downtown, Downtown Waterfront, Downtown Transition and Battery Street Transition zoning districts. The amendment also applies to 300 and 702 Lake Street.

List of section headings affected: This amendment establishes a new *Article 14: planBTV: Downtown Code*, which replaces all current provisions regarding the Downtown, Downtown Waterfront, Downtown Transition and Battery Street zoning districts, and amends other sections to include the appropriate references to the new article, including the following sections, maps tables, and figures:

- *Article 3, Applications, Permits, and Project Reviews:*
  - *Part 2, Applications and Permits,* amends *Sec. 3.2.1 (a), Administrative Conference, Sec 3.2.2, Application Types and Submission Requirements, Sec 3.2.2 (e), Certificate of Appropriateness (COA) Level III Application, Sec. 3.2.3, Modification of Submission Requirements, Sec. 3.2.7 (a), Administrative Authority*;
  - *Part 4, Site Plan and Design Review,* amends *Sec. 3.4.2 (b);*
  - *Part 5, Conditional Use and Major Impact Review,* amends *Sec. 3.5.2 (b), Major Impact Review*
- *Article 4, Zoning Maps and Districts:*
  - *Part 3, Zoning Districts Established,* amends *Sec 4.3.1, Base Districts Established, subsection (a) and Sec. 4.3.2, Overlay Districts Established, subsections (f)* and *(g),* striking *subsection (h);*
  - *Part 4, Base Zoning District Regulations, Sec. 4.4.1 Downtown Mixed Use District,* strikes *subsections (a), Purpose, 1-3 and 5;* adds new *subsection (a) 1;* and renumbers *Subsection (a) 4;* amends *Sec 4.4.1 (b), Dimensional Standards and Density* and *Sec 4.4.1 (c) Permitted and Conditional Uses;* amends *Sec 4.4.1 (d),*

District Specific Regulations, amending *subsections 1 (*including, but not limited to striking *subsection A, Ground Floor Residential Uses Restricted) and 2* and striking *subsection 4, Building Height Setbacks (*including, but not limited to *subsections A, Principal View Corridors, B, Church Street Buildings* and *C, Side Street Building Height),* and *subsection 6, Residential District Setback,* renumbering, and amending *subsection 7, Development Bonuses/Additional Allowances (*including, but not limited to striking *subsection A, Inclusionary Housing,* and *B, Senior Housing);*
    - *Part 5, Overlay Zoning District Regulations,* amends *Sec 4.5.1 (b) (1) A*
  - Strikes *Sec 4.5.8 Downtown Mixed Use Core Overlay (DMUC) District* in its entirety
  - *Article 6. Development Review Standards,* amends *Sec. 6.0.1 Intent and Citywide Development Principles*
  - *Article 7, Signs:*
    - *Part 2, District Regulations,* amends *Sec 7.2.3 Signs in Mixed Use Districts; Sec 7.2.4(c) 3. A., Canopies Marquees and Awnings;*
    - *Part 3, Sign Plans,* amends *Sec 7.3.2 Applicability*
  - *Article 8, Parking, Part 1, General Requirements,* amends *Sec 8.1.12 (b) Downtown Street Level Setback and Sec 8.1.15 (a) Parking Waivers*
  - *Article 9, Part 2 Housing Preservation and Replacement/Demolition and Conversion* amends *Sec 9.2.2, Applicability*
  - *Article 11, Part 1 Planned Unit Development,* amends *Sec 11.1.3 General Requirements and Applicability*
  - Amends *Sec 13.1.2, Definitions*
  - Strikes the Downtown (D), Downtown Waterfront (DW), Downtown Transition (DT) and Battery Street Transition (BST) districts and all use provisions associated with these districts from *Appendix A-Use Table*
  - Amends *Map 4.3.1.-1 Base Zoning Districts, Map 4.4.1-1 Downtown Mixed Use Districts, Map 4.4.5-1 Residential Zoning Districts, Map 4.4.5-2 Waterfront RM Height Exceptions,* and *Map 4.5.1-1 Design Review Overlay*
  - Strikes *Map 4.5.8-1 Downtown Mixed Use Core Overlay (DMUC) District*
  - Amends *Table 4.4.1-1 Dimensional Standards and Intensity and Table 4.4.1-2 Maximum FAR and Building Heights with Bonuses*
  - Strikes *Table 4.5.8-1 Downtown Mixed Use Core Overlay (DMUC) District Dimensional Standards*
  - Amends *Table 7.2.1-1 Sign Regulation Summary*
  - Amends *Table 9.1.8-1 Inclusionary Zoning Percentages*
  - Amends *Table 9.1.12-1 Density/Intensity Allowance Table*
  - Strikes *Figure 4.4.1.1 Principal View Corridor Upper Story Setbacks, Figure 4.4.1.2 Measuring Height Limits for Church Street Buildings, and Figure 4.4.1.3 Side Street Building Height Setbacks*

Article 14 Section Headings:

- Preamble: A Place-Based Approach to Zoning
- Section 14.1: Purpose and Applicability
- Section 14.2: Regulating Plan
- Section 14.3: Specific to Form Districts
- Section 14.4: Specific to Building Types
- Section 14.5: Specific to Private Frontage Types
- Section 14.6: Applicable in all Form Districts

- Section 14.7: Administration and Procedures
- Section 14.8: Glossary

The full text of the *Burlington Comprehensive Development Ordinance* and these proposed amendments are available for review at the Department of Planning and Zoning, City Hall, 149 Church Street, Burlington Monday through Friday 8:00 a.m. to 4:30 p.m. or on the department's website at www.burlingtonvt.gov/pz.

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[*] This amendment has also been referred to as the Form Based Code (FBC).