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[www.burlingtonvt.gov/plan](http://www.burlingtonvt.gov/plan)

**TO:** Burlington City Council  
Mayor Miro Weinberger  
**FROM:** Mary O'Neil, Principal Planner  
Scott Gustin, Principal Planner & Zoning Division Manager  
**DATE:** February 26, 2021  
**RE:** Proposed CDO Amendment ZA-21-04: Adaptive Reuse Definition

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### **Overview & Background**

Adaptive Reuse, in accepted language and common development practice refers to the process of reusing an old site or building for a purpose other than which it was built or for which it was designed, while retaining their historic features. Along with brownfield reclamation, adaptive reuse is often utilized as a key tool in land conservation and the reduction of urban sprawl. Retention and rehabilitation of existing buildings also reduces the consumption of building materials, resources, energy and water needed for new construction.

Adaptive reuse deals with the issues of conservation and heritage policies. When old buildings become unsuitable for their programmatic requirements, as progress in technology, politics, and economics moves faster than the built environment, adaptive reuse comes in as a sustainable option for the reclamation of sites. In many situations, the types of buildings most likely to become subjects of adaptive reuse include 1) industrial buildings, as the process of manufacture moves away from cities; 2) political buildings, such as palaces and buildings which cannot support current and future visitors of the site; and 3) community buildings such as churches or schools where the use has changed over time. (Think the Adams School on South Union Street, or the Steeple Market in Fairfax.)

Adaptive reuse is as an effective way of reducing urban sprawl and environmental impact. By reusing an existing structure within a site, the energy required to create these spaces is lessened, as is the material waste that comes from destroying old sites and rebuilding using new materials. Through adaptive reuse old, unoccupied buildings can become suitable sites for many different types of use. It is the structural example of reduce-reuse-recycle.

The current Article 13 definition of adaptive reuse misses the key point as to reuse of an historic structure for something other than what it was originally built for. This amendment would revise the definition to include that point.

The Planning Commission Ordinance Committee discussed this amendment October 1, 2020 and unanimously recommended forwarding the amendment to the full Planning Commission for consideration.

### **Proposed Amendment**

#### **Amendment Type**

Text Amendment	Map Amendment	Text & Map Amendment
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#### **Purpose Statement**

The intent of the proposed amendment is to more accurately reflect the intent and purpose of adaptive reuse as it pertains to reuse of historic buildings.

## **Proposed Amendments**

The following amendments to the Burlington CDO are included in this proposal:

1. Amend "Adaptive Reuse" definition in Sec. 13.1.2 Definitions

## **Relationship to planBTM**

*This following discussion of conformance with the goals and policies of planBTM is prepared in accordance with the provisions of 24 V.S.A. §4441(c).*

Theme	Dynamic	Distinctive	Inclusive	Connected
Land Use	Conserve	Sustain	Grow	

### Compatibility with Proposed Future Land Use & Density

The proposed amendment does not impact the types or density of potential land use and density. Standards as to adaptive reuse remain unchanged. The amendment revises the Article 13 definition to better reflect the intent and purpose of adaptive reuse of historic buildings.

### Impact on Safe & Affordable Housing

The proposed amendment has no impact on housing safety or affordability.

### Planned Community Facilities

The proposed amendment has no impact on planned community facilities.

## **Process Overview**

The following chart summarizes the current stage in the zoning amendment process, and identifies any recommended actions:

<b>Planning Commission Process</b>				
Draft Amendment prepared by: Staff, PC OC	Presentation to & discussion by Commission 1/26/21	Approved for Public Hearing 1/26/21	Public Hearing 2/23/21	<b>Approved &amp; forwarded to Council</b>  Continue discussion
<b>City Council Process</b>				
<b>First Read &amp; Referral to Ordinance Cmte 3/8/21</b>	Ordinance Cmte discussion	Ordinance Cmte recommend as modified	Second Read & Public Hearing	CCOC Recommends Approval & Adoption  Rejected

# CITY OF BURLINGTON

ORDINANCE \_\_\_\_\_

Sponsor: Office of City Planning,  
Planning Commission

Public Hearing Dates: \_\_\_\_\_

In the Year Two Thousand Twenty-One

## An Ordinance in Relation to

COMPREHENSIVE DEVELOPMENT ORDINANCE –  
Adaptive Reuse Definition  
ZA #21-04

First reading: \_\_\_\_\_

Referred to: \_\_\_\_\_

Rules suspended and placed in all  
stages of passage: \_\_\_\_\_

Second reading: \_\_\_\_\_

Action: \_\_\_\_\_

Date: \_\_\_\_\_

Signed by Mayor: \_\_\_\_\_

Published: \_\_\_\_\_

Effective: \_\_\_\_\_

**It is hereby Ordained** by the City Council of the City of Burlington as follows:

- 1 That Appendix A, Comprehensive Development Ordinance, of the Code of Ordinances of the City of
- 2 Burlington be and hereby is amended by amending Section 13.1.2, Definitions, Adaptive Reuse, to read as
- 3 follows:

4 ***Sec. 13.1.2 Definitions***

5 For the purpose of this ordinance certain terms and words are herein defined as follows:

6 Unless defined to the contrary in Section 4303 of the Vermont Planning and Development Act as  
7 amended, or defined otherwise in this section, definitions contained in the building code of the City of  
8 Burlington, Sections 8-2 and 13-1 of the Code of Ordinances, as amended, incorporating the currently  
9 adopted edition of the American Insurance Association's "National Building Code" and the National Fire  
10 Protection Association's "National Fire Code" shall prevail.

11 Additional definitions specifically pertaining to Art. 14 planBTV: Downtown Code can be found in Sec.  
12 14.8, and shall take precedence without limitation over any duplicative or conflicting definitions of this  
13 Article.

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15 **Adaptive Reuse:** For the purposes of this ordinance, adaptive reuse shall refer to—The rehabilitation and  
16 reuse of a building or site listed or eligible for listing in the United States Department of the Interior's  
17 National Register of Historic Places or the Vermont State Register of Historic Places for a purpose other  
18 than that for which it was built or for which it was designed where alterations do not radically change,  
19 obscure, or destroy character-defining spaces, materials, features or finishes.

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21 \* Material stricken out deleted.

22 \*\* Material underlined added.