

CITY OF BURLINGTON

ORDINANCE \_\_\_\_\_

Sponsor: Office of City Planning,  
Planning Commission  
Public Hearing Dates: \_\_\_\_\_

In the Year Two Thousand Twenty-Two

First reading: \_\_\_\_\_  
Referred to: \_\_\_\_\_

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

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

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

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

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

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

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

An Ordinance in Relation to

ZA-22-04 TRINITY CAMPUS OVERLAY (ICC-UVMT)

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 Sec 4.5.2 Institutional Core Campus Overlay Districts  
3 and amending Sec. 4.5.2 (e) District Specific Regulations: UVM Trinity Campus (ICC-UVMT) thereof to  
4 read as follows:

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6 **Sec. 4.5.2 Institutional Core Campus Overlay Districts**

7 **(a) Purpose**

8 The Institutional Core Campus Overlay (ICC) districts are intended to provide for reasonable future  
9 growth for institutions within the core of their respective campuses without further intrusion into  
10 surrounding residential neighborhoods. This overlay allows ~~greater~~ ~~increased~~ development than  
11 would typically be found in the underlying districts. Development is intended to be more intense than  
12 the surrounding neighborhoods with higher lot coverage and larger buildings. New development  
13 should provide sensitive transitions to the historic development pattern and scale of the surrounding  
14 campus, ~~and~~ ~~B~~ buildings both large and small should be designed with a high level of architectural  
15 detailing to provide visual interest and create enjoyable, human-scale spaces. Sites should be  
16 designed to be pedestrian friendly and encourage walking between buildings. Circulation should  
17 largely emphasize the needs of pedestrians and bicycles, and parking should be very limited and  
18 generally provided offsite. Where parking is provided, it should be hidden either within or underneath  
19 structures.  
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21 **(b) Areas Covered & Applicability**

22 The Institutional Core Campus Overlays ~~areas~~ delineated on Map 4.5.2-1, ~~and~~ ~~are~~ ~~further~~ described  
23 as follows, ~~and are further regulated from the underlying Institutional district according to provisions~~  
24 ~~of Sec 4.5.2 (c) through Sec. 4.5.2 (g).~~

25 ~~The regulations contained in Sec. 4.5.2 are subject to the limitations set forth in 24 V.S.A § 4413,~~  
26 ~~itled "Limitations on municipal bylaws," which limits regulation of qualified uses, including schools~~

and educational institutions, to specified criteria and only to the extent the regulation does not have the effect of interfering with the intended functional uses. Where the following regulations conflict with requirements of §4413, the statute shall govern.:

- 1. **University of Vermont Medical Center Campus (ICC-UVMMC)** *As written*
- 2. **UVM Central Campus (ICC-UVM)** *As written*
- 3. **UVM Trinity Campus (ICC-UVMT)** is intended to provide ~~reasonable~~ future use of the UVM Trinity College campus north of Colchester Avenue and to preserve the residential character of the existing neighborhoods adjacent to the district. This district allows for an increased development scale and intensity than would typically be found in adjoining and underlying districts for the state’s flagship academic institution. This core campus is expected to be predominantly pedestrian-oriented, with all but the most essential parking provided off-site, and allow for limited neighborhood-supporting commercial uses to promote a vibrant mix of uses supportive of and to attract additional on-campus housing opportunities. Development within this core campus should aspire to reflect the institution’s core education values in both design and quality;
- 4. **UVM South of Main Street Campus (ICC-UVMS)** *As written*
- 5. **Champlain College (ICC-CC)** *As written*

**(c) District Specific Regulations: University of Vermont Medical Center (ICC-UVMMC);**

*As written*

**(d) District Specific Regulations: UVM Central Campus (ICC-UVM);**

*As written*

**(e) District Specific Regulations: UVM Trinity Campus (ICC-UVMT);**

**1. Lot Coverage**

Lot coverage within the ICC-UVMT district shall not exceed ~~40%~~ 60% except as may be allowed under the ~~inclusionary housing~~ provisions of Article 9: Inclusionary and Replacement Housing.

Maximum lot coverage shall be applied to the aggregate of all lots owned by a single entity and located within the ICC-UVMT district.

**2. Setbacks**

Development in the ICC-UVMT shall be subject to the setback requirements as specified under the provisions of the underlying zoning district, except for as noted in Sec.4.5.2 (e) 2. a below.

Minimum side and rear yard setbacks shall not be applicable between parcels under the same ownership within the ICC-UVMT district, but shall apply along the perimeter of the district.

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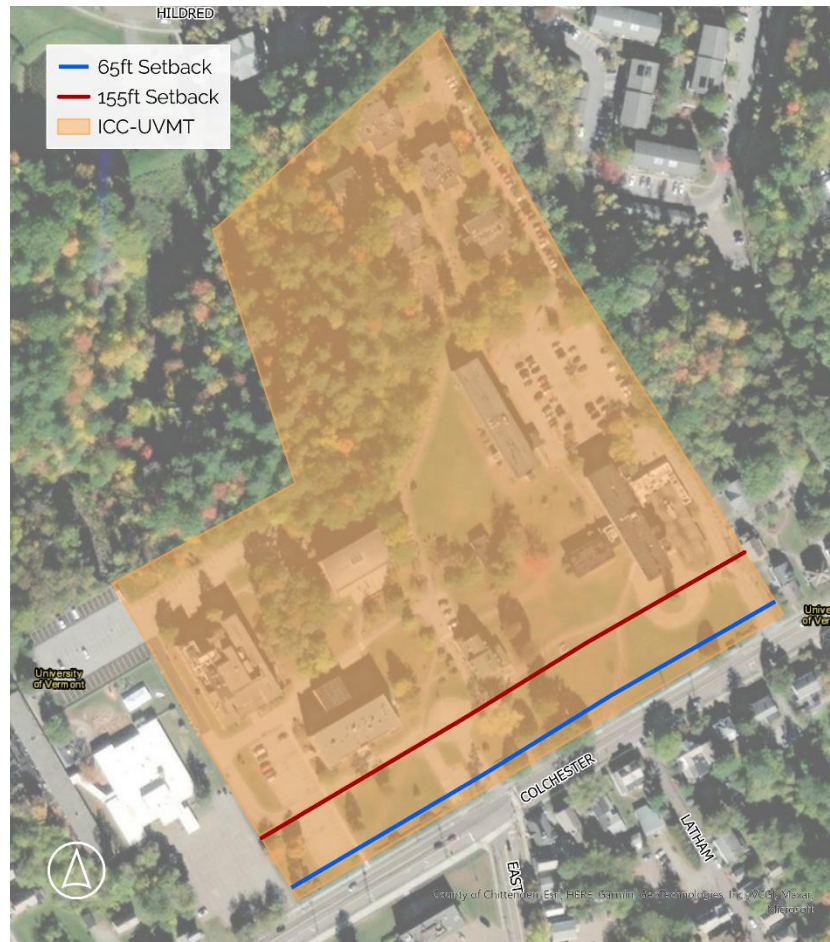
**a. Colchester Avenue Buffer:**

~~i. Within 65 ft from the centerline of Colchester Avenue: the ICC-UVMT no development of new surface parking or new structures, except for ancillary structures no larger than 200 square feet, shall be permitted, within a setback of 115 feet from the front property line on Colchester Avenue.~~

ii. Between 65 ft and 155 ft from the centerline of Colchester Avenue: new structures are permitted subject to the height limits of Sec. 4.5.2 (e) 3 below. No development of new surface parking shall be permitted.



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UVM Trinity Campus (ICC-UVMT) Colchester Avenue Buffer

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**3. Surface Parking**

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No new outdoor surface parking spaces shall be permitted in the ICC-UVMT district unless the number of the new outdoor surface parking spaces is offset by the corresponding removal of outdoor surface parking spaces in the ICC-UVMT district existing as of January 1, 2002 and the Development Review Board has approved such offset in issuing a certificate of appropriateness.

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**4.3. Height**

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Additions and new construction may be built to a height of: that does not exceed the greater of thirty five feet (35') or the height of existing structures located on the same parcel within the ICC-UVMT district, but in no instances shall any building exceed fifty five feet (55') in height as measured from finished grade.

i. Between 65 ft and 155 ft from the centerline of Colchester Avenue: 45 ft. max

ii. From 155 ft from the centerline of Colchester Avenue to the rear property line: 80 ft. max

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**5.4. Density**

In the ICC-UVMT district, ~~the density~~ restrictions ~~on residential density~~ set forth in Sec. 4.4.4 shall not apply to dormitories nor to residential units built by the institution, or by a private developer on behalf of the institution for the exclusive use by UVM students, the underlying zoning district, and in the underlying zoning district, and in Article 9 (Inclusionary Housing) shall apply to all development, including changes in use.

Unless replaced on-site no housing unit in a residential structure located within the ICC-UVMT shall be demolished or converted to a nonresidential use, except for housing units that are exempt from the provisions of Article 9, Part 2- Housing Preservation and Replacement/Demolition and Conversion.

**6.5. Uses:**

Within the ICC-UVMT, only the following uses shall be permitted ~~or conditionally permitted:~~

<u>Permitted Uses:</u>	<u>Conditional Uses:</u>
<b><u>Residential &amp; Special Residential Uses</u></b>	
Assisted Living	
Attached Dwelling(s) – Mixed-Use	
Attached Dwellings - Multi-Family	
<del>Attached Dwellings – Duplex</del>	
<del>Bed and Breakfast</del>	
Boarding House	
Convalescent /Nursing Home	
<del>Single Detached Dwelling</del>	
<u>Dormitory</u>	
<u>Historic Inn</u>	
<b><u>Non-Residential</u></b>	
<del>Bed and Breakfast</del> <u>Beauty/Barber shop</u>	<del>Bakery</del> <u>Retail</u>
Community Center	Bank, <u>Credit Union</u>
Daycare <del>–Large, Daycare – Small</del>	Café
<del>Dormitory</del>	Convenience Store
<del>Health Care Hospitality</del>	<u>Credit Union</u>
Health Club	Dental Lab
Health Studio	Dry Cleaning Service

<b>Permitted Uses:</b>	<b>Conditional Uses:</b>
<del>Historic Inn</del>	General Merchandise/Retail – Small <4,000sqft
Hostel	Grocery Store – Small ≤10,000sqft
Office – General	Medical Lab
Office - Medical, Dental	Pharmacy
Park	Research and Development Facility
Performing Arts Studio	Research Lab
<del>Record and Document Storage</del>	Restaurant
School - Post-Secondary & Community College	<u>Parking Garage</u>
School - Preschool	<u>Laundromat</u>
Worship, Place of	

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~~All non-residential uses are Permitted Uses within buildings existing as of January 1, 2002; and are Conditional Uses if located within a new building to be constructed after January 1, 2002.~~

No ~~permitted or conditional~~ use in the ICC-UVMT District may include drive-through facilities, gas pumps or canopies.

**7.6. Parking**

Parking for all uses and structures shall be planned for and provided in accordance with the provisions of Article 8, Part 3 Institutional Parking Plans.

No new outdoor surface parking spaces shall be permitted in the ICC-UVMT district unless the number of new outdoor surface parking spaces is offset by the corresponding removal of outdoor surface parking spaces in the ICC-UVMT district existing as of January 1, 2022 and the DRB has approved such offset in issuing a certificate of appropriateness.

**8.7. Review Requirements Supplemental Application Requirements**

~~Within the ICC UVMT, any new construction or any change of use of 15,000 square feet or more (including any cumulative change of use or new construction of 15,000 square feet or more within a twelve month period) shall be subject to the conditional use major impact review criteria (Article 3).~~

a. Required Application Materials

127 In addition to all applicable application criteria in Article 3, applications for development  
128 within the ICC-UVMT by the institution, or by a private developer on behalf of the  
129 institution for a project for the exclusive use of students, shall include the following.  
130 These application requirements apply only to projects which will result in a change of use,  
131 habitable area, or off-street parking, and shall not be required for applications for routine  
132 maintenance, repair, equipment installation, walkways, landscaping, public art, and the  
133 like.

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135 The information required in this Section is for informational purposes and shall not  
136 constitute a basis to condition or deny institutional developments in any manner  
137 inconsistent with 24 V.S.A. § 4413.

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139 An application may reference sections of a current, approved Institutional Parking  
140 Management plan if the Administrative Officer determines it contains sufficient detail  
141 regarding planned projects, anticipated campus user groups, and forecasted units and GFA  
142 as outlined in the following.

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144 i. A plan, in the form of either the institution’s land bank plan or a conceptual site  
145 plan, of the general location and use of future residential and non-residential  
146 development on the Trinity Campus, and an explanation of how the density and  
147 location of the subject application implements or modifies projects contemplated  
148 within the plan.
- 149 ii. An explanation of the extent to which the subject application implements or  
150 modifies projects identified within the institution’s approved Institutional Parking  
151 Management Plan, pursuant to Article 8, Part 3.
- 152 iii. For residential developments, the institution shall provide, for informational  
153 purposes, the number of dwelling units within the project and how this relates to  
154 forecasted student enrollment in all academic programs and growth in campus  
155 beds for a) students required to live on campus, and b) students not required to live  
156 on campus, for the ensuing five year period following a permit approval.

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iv. For non-residential developments, the institution shall provide, for informational purposes, the GFA within the project compared to the existing GFA on the Trinity Campus and forecasted growth in non-residential GFA on the Trinity Campus for the ensuing five year period following a permit approval.

**b. Annual Reporting**

The institution shall provide a report annually to the Administrative Officer regarding the implementation of the approved development, and any changes in the makeup of user groups accommodated, enrollment, or forecasts for the same for the remainder of the five year period.

This reporting requirement may be combined with annual reporting requirements for an approved Institutional Parking Management Plan if the Administrative Officer determines that such annual reports provide sufficient detail to meet the requirements outlined above.

**(f) District Specific Regulations: UVM South of Main Street Campus (ICC-UVMS):**

*As written*

**(g) District Specific Regulations: Champlain College (ICC-CC):**

*As written*

\* Material stricken out deleted.

\*\* Material underlined added.