



City of Burlington, VT
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www.burlingtonvt.gov/plan

TO: Burlington City Council
 Mayor Miro Weinberger
FROM: Meagan Tuttle, AICP, Director
DATE: July 27, 2022
RE: Proposed CDO Amendment ZA-22-05: Burlington High School Zoning

Overview & Background

For nearly 30 years, the site of Burlington High School (BHS) has operated as a non-conforming use, in a non-conforming building, on a non-conforming site. The campus on Institute Road is located in the RCO-RC zoning district, as it has been since the 1973 zoning rewrite. However, where previous zoning ordinances allowed public and semi-public buildings within the RCO districts, the 1994 zoning rewrite introduced a Use Table which identified schools as an unpermitted use in this district. Despite these limitations, the site's non-conforming status and some limitations on local zoning for schools in state statute have allowed the school to function and serve the community in this location.

Planning for the high school campus has been under way for [about a decade](#). BHS has been operating in an interim location downtown since March 2021. In late 2021, the BSD School Board selected the "Institute Road – North" site from a list of [potential redevelopment sites](#), and the District has indicated its intent to reopen a school at this site by 2025.

While Institute Road has been the site of the high school for 50 years, the District's preliminary site assessments and concept planning have indicated that the current non-conformities and statutory exemptions that the site enjoys will limit the development a modern high school and technical center going forward; solutions to resolve these conflicts are imperative. In 2022, the Burlington School Board selected a preferred concept for redevelopment at this site, which has helped inform further discussions about the limitations of the current zoning for the site. The proposed amendment seeks to recognize and embrace how the campus has served the community and enable it to evolve to meet the needs of the next generation of Burlington students. This is achieved by allowing the high school as a permitted use at this location and by establishing site-based standards for its development.

Proposed Amendment

Amendment Type

Text Amendment	Map Amendment	Text & Map Amendment
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Purpose Statement

The purpose of this amendment is to rezone the Burlington High School site on Institute Road from RCO-RC to Institutional, establish a Burlington High School Campus Overlay zone which allows public schools as a permitted use and identifies development provisions for the campus, and rezone the site from Neighborhood to Multimodal Mixed Use parking district.

Proposed Amendments

The following amendments to the *Burlington Comprehensive Development Ordinance* are included in this proposal

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- **Rezone the BHS Campus at 52 Institute Road from RCO-RC to Institutional and apply new overlay district “Burlington High School”**

Update maps 4.3.1-1 Base Zoning Districts, 4.4.6-1 Recreation Conservation Open Space Districts, 4.4.4-1 Institutional Districts, and 4.5.2-1 Institutional Core Campus Overlays to rezone the property that spans both sides of Institute Road. Establish the Burlington High School Overlay district for these properties.

- **Establish allowable uses and dimensional standards for development for the new “Burlington High School” overlay district**

Establish a new Sec. 4.5.2 (h) and new Map 4.5.2-8 for this site, which articulates site-specific standards for lot coverage, setbacks, building height, permitted and conditional uses, and other standards for development of the site that accommodate a modern high school facility and related functions and activities.

- **Rezone the campus from Neighborhood to Multimodal Mixed Use parking district**

Update map 8.1.3-1 Parking Districts to reflect change in parking district, which will apply a lower maximum parking limit and require participation in TDM planning.

Relationship to planBTV

This following discussion of conformance with the goals and policies of planBTV 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 recognizes and embraces the scope and scale of the Burlington High School facilities on Institute Road, and will enable much needed redevelopment of a new high school on this site along with other associated and complimentary uses. This site is not only the home of the BHS campus since the 1960’s, but also sits on North Avenue which is identified in *planBTV*, the City Municipal Development Plan, as a “Major Thoroughfare.” North Avenue provides important connectivity between the city’s New North End neighborhoods and the Downtown, and the plan identifies opportunities for transit-supportive, mixed-use development.

Impact on Safe & Affordable Housing

The proposed amendment has no impact on housing safety and affordability; there is no housing currently located on these properties and housing is not proposed within this overlay district.

Planned Community Facilities

The proposed amendment has an important impact on the ability of the Burlington School District to be able to redevelop a new high school on the current BHS Campus. Burlington High School’s campus on Institute Road is currently located in a RCO-RC zoning district, and the existing site contains many nonconformities which presents significant challenges to the reconfiguration of a school in this location. With the recent decision by the Burlington School Board to select the “Institute Road – North” site from a list of potential redevelopment sites, the need to resolve this zoning conflict is imperative.

Process Overview

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

Planning Commission Process				
Draft Amendment prepared by: Staff, with BSD input	Presentation to & discussion by Commission 3/8/22, 5/10/22	Approved for Public Hearing 5/10/22	Public Hearing 6/14/22	Approved & forwarded to Council
City Council Process				
First Read & Referral to Ordinance Cmte 6/27/22	Ordinance Cmte discussion 7/11/22, 7/25/22	Ordinance Cmte recommends with changes 7/25/22	Second Read & Public Hearing 8/15/22	Approval & Adoption
				Rejected