

DEPARTMENT OF PLANNING & ZONING ANNUAL REPORT – FY16

The Department of Planning & Zoning’s eight-member staff administers two essential governmental functions:

- Comprehensive land use and development planning; and
- Administration of the City’s land development regulations.

Through our planning function, the Department is responsible for the preparation of long-range land use and development policy, including the City’s *Municipal Development Plan* and other area-specific and issue-specific plans, conducts special studies, and prepares amendments to City land development ordinances. Our work is accomplished in partnership with many other Departments, including CEDO, Parks, Recreation & Waterfront, Public Works, City Arts, and the Church Street Marketplace, and culminates in the adoption of City policy by the City Council.

Through our regulatory function, the Department administers all permitting and development review functions under the City’s *Comprehensive Development Ordinance*, which includes both zoning and subdivision regulations. In this process we collaborate closely in the administration of other development-related codes, such as rental housing and zoning compliance/enforcement (Code Enforcement), construction permits (DPW-Inspection Services Division), and liquor licenses (City Council).

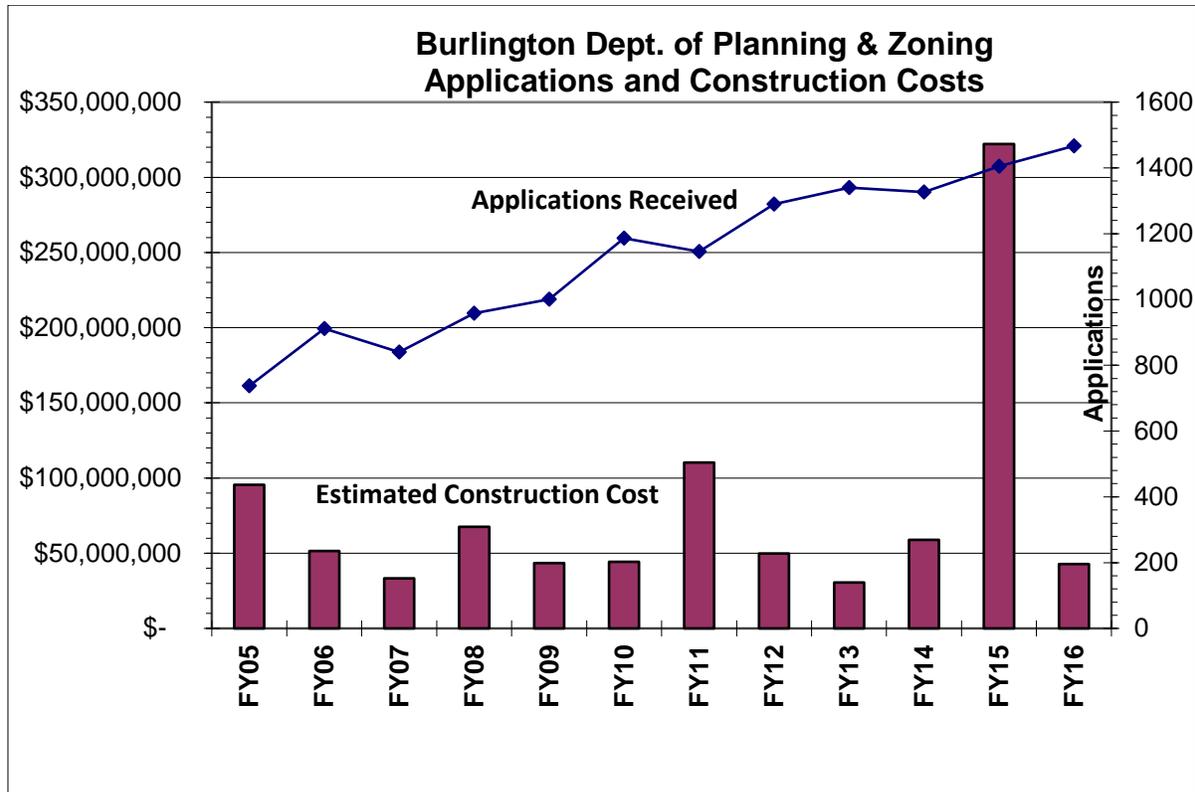
In support of these responsibilities and the work of many other City Departments, our staff plays a key role in managing the City’s Geographic Information System (GIS) and the AMANDA permit information system in collaboration with the City’s Information Technology Division. GIS allows users to analyze, view, and interpret information in a way that helps to identify spatial relationships and patterns and prepare high quality maps. AMANDA is integral to managing several of the City’s property information (Land Records and Assessor), permitting (zoning and construction), and Code Enforcement (minimum housing, public health, vacant buildings and zoning) processes.

The Department’s work is guided by a seven-member Planning Commission whose volunteer members formulate land use and development policy and regulations for consideration by the City Council. Another 25 citizen volunteers participate in the development review process as members of the Development Review Board (DRB), Design Advisory Board (DAB), and Conservation Board, playing key roles in implementing the City’s land use and development regulations. Each year these volunteers dedicate hundreds of hours towards the improvement of the City, participating in more than 100 public meetings.



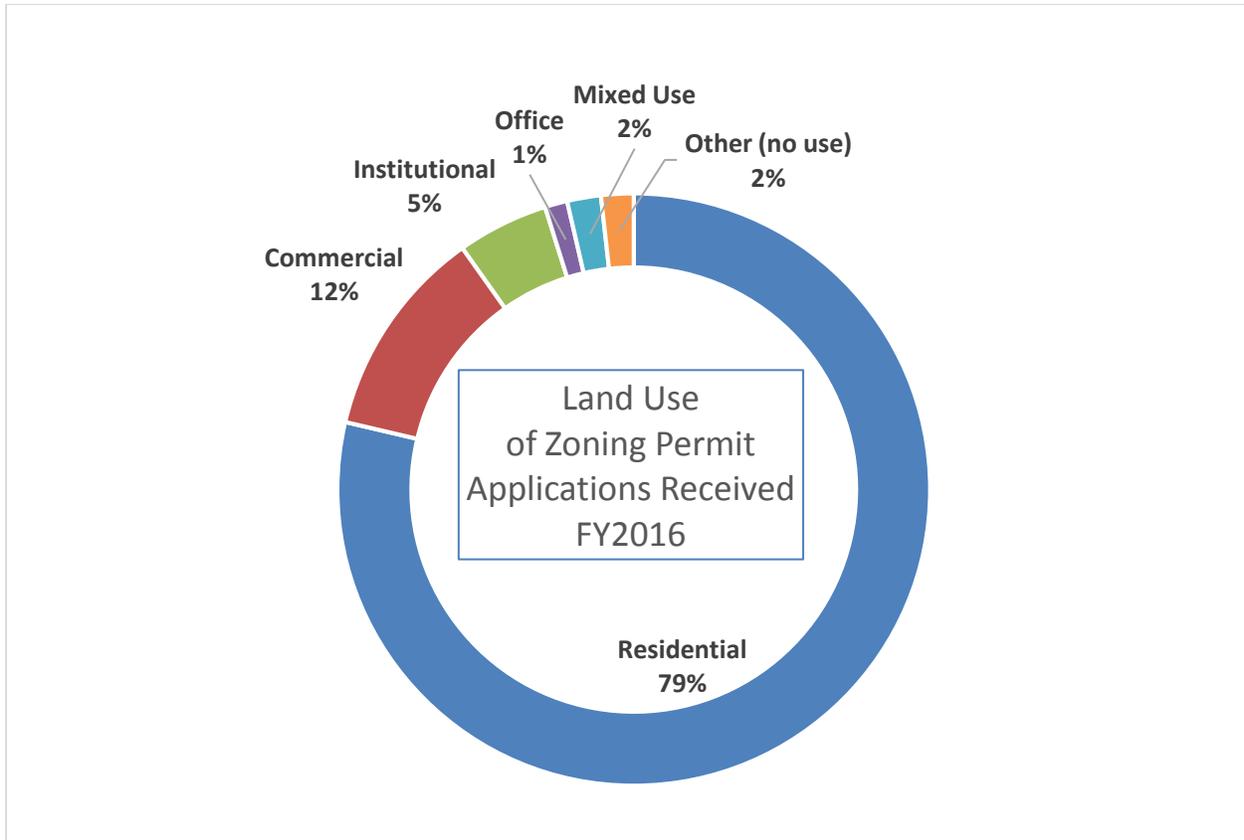
Development Review and Permitting:

In FY16, a total of 1,467 requests for zoning permits or determinations were processed by our staff. This was the highest number of requests **ever** processed by our office in a single year – part of a steady increase over the past 10 years. Overall, 1,006 zoning permit applications were reviewed with a total estimated construction cost of \$42.8 million, and proposed to add 302 new residential units (or equivalents) to the City (*it should be noted however, that just because a zoning permit was approved it doesn't mean the project will be constructed in this time period if at all*).



Of this total:

- 904 permit applications (approximately 90%) were reviewed administratively (by the Planning staff) and processed within 30 days, with an approval rate of 99%. Another 475 administrative determinations were issued, including those indicating that a zoning permit is not required for the work proposed;
- 46 permit applications and 8 appeals of administrative decisions were reviewed by the Development Review Board (DRB), with an approval rate of 93.5%;
- 8 DRB decisions were appealed to the VT Superior Court – Environmental Division; and,
- Nearly 80% of all applications involve the creation of, or improvements to, residential properties across the City.



Among the major projects approved in FY16 include:

- Conversion of the former St. Joseph's Orphanage into 63 residential units at 351-375 North Avenue.
- Demolition of an existing building and redevelopment with 9 residential units, office and ground floor retail/deli at 316-322 Flynn Ave.

While this may not be as an extensive or impressive list as past years, FY16 was a year of preparation for some much larger development projects on the horizon. One indicator of this is that the staff and boards performed 13 Sketch Plan Reviews which is more than twice than the previous year. A Sketch Plan Review is a preview of a major development project where the applicant has an opportunity to test their proposal and get non-binding informal perspective before they actual enter the formal development review process.

The Department provides daily updates on the status of all zoning permit applications currently under review on its website (www.burlingtonvt.gov/pz). This information is useful to residents who may want to know about development activity proposed in their neighborhood and for applicants who need to know when their permit has been approved and will be ready for pick-up. Permit application status information is available by street or ward, and in table or map formats. The Department is also increasingly using automated email to notify applicants when their permits are ready to be picked up and when they are about to expire.

Ordinance Amendments:

Regulation of land development is not a static process, and we are always in search of ways to make the development review process more effective at advancing the City's land use and development policies and easier to use for everyone involved. Planning staff, working at the direction of the Planning Commission, researches and prepares draft amendments to the City's land development ordinances. Once approved by the Commission, these amendments go to the City Council for final consideration and adoption.

In FY16 a total of 14 amendments to the *Comprehensive Development Ordinance* were developed by staff and considered by the Planning Commission. The *Burlington Comprehensive Development Ordinance* is available in both hardcopy and digitally on the Department's website (www.burlingtonvt.gov/pz), which also includes all pending ordinance amendments currently under consideration as well as those recently adopted.

Planning Projects:

The basis for all land development regulation and permitting is the City's land use and development policies and plans. Planning Department staff work with the Planning Commission and other City Departments in undertaking planning studies and other projects that help us to better understand and respond to emerging trends and future community needs. Below is a summary of the major planning projects Department staff have been leading over the past year:

- ***planBTV: Downtown and Waterfront Master Plan***

The Planning Department's flagship planning project has been the development of a master land use and development plan for Burlington's Downtown and Waterfront. The *planBTV: Downtown and Waterfront Master Plan* was unanimously adopted by the City Council on June 10, 2013 as part of the City's Municipal Development Plan.



Efforts to implement this plan have been ongoing and involve the concentrated efforts of many other City Departments. Examples of related projects include the Downtown Parking Improvement Initiative, the Public Investment Action Plan projects on the waterfront, the relocation and improvements to the Burlington Bike Path, the construction of the Waterfront Access North improvements, the Railyard Enterprise Project, the Great Streets Initiative, and the development of new development regulations for the Downtown and Waterfront area (see more below). Visit the project website at www.Burlingtonvt.gov/planbtv to learn more and see what else is going on.

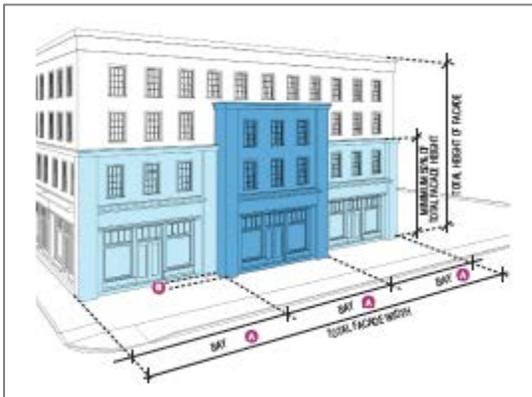
planBTV represents a new direction for comprehensive planning by the Planning Department – one where we take the time to better understand a specific part of the city so we can make more

informed and strategic decisions about future development opportunities and directions. As a result, you will see many future planning efforts undertaken using the “planBTV” brand in the years to come.

- **Downtown and Waterfront Form-Based Zoning Code**

As part of the implementation of the *planBTV: Downtown and Waterfront Master Plan*, the City is working to modify our zoning ordinance in order to ensure that the plan’s vision can be built. Among the plan’s chief recommendations is a more predictable approach to development regulation that works to consolidate, simplify, and update zoning language to reflect the desires of the community.

Burlington’s new form-based code is focused on ensuring that new infill development fits into the existing context and scale of the downtown. Over nearly 2 years, Planning staff have been working with a joint committee of Planning Commissioners and City Councilors to review and refine an early draft. The committee met more than 30 times since December 2014.



In January 2016 with funding from the Kauffman Foundation Lee Einsweiler, a principal with the Code Studio in Austin, Texas and a national expert on zoning codes, visited Burlington over 3 days to speak with residents and special interest groups about the rise and use of building form elements within zoning codes from a national context. The purpose was to expand the City’s public outreach and engagement efforts around the City’s creation of a new form based code, and to share information and perspective from a national expert regarding the

creation and use of form-based code development standards in local land use regulations including in Burlington. The main event was a public lecture and panel discussion attended by ~50 members of the community and televised for local community access. This was supplemented by a series of smaller conversations with various community members and City staff to discuss specific questions and possible form-based approaches to specific challenges.

More information as well as a copy of the current draft is available online at www.burlingtonvt.gov/PZ. A final draft to be presented to the Planning Commission and City Council for final adoption is expected in mid-FY17.

- **Burlington Town Center Redevelopment**

Working in partnership with our colleagues in CEDO, Planning staff played a central role in facilitating a public process to consider the redevelopment of the Burlington Town Center. In 2013, *planBTV: Downtown & Waterfront Master Plan* articulated a bold community vision for reinvesting in this part of downtown and shortly-there-after the property was sold to a new owner creating an historic



opportunity to engage the new owner in a process to create a plan for the site that would contribute to a healthier, more walkable and prosperous downtown aligned with the vision from *planBTV*.

A robust public process to create, review and approve a development agreement between the City and the owner was approved by the City Council with oversight provided by the Development Agreement Public Advisory Committee (DAPAC) comprised of members of the City Council and Planning Commission. This process included two phases: first a community design process to identify detailed community goals and objectives for the redevelopment of the site that could be blended with the owner's vision and market conditions; and second, to establish a development agreement for a public-private partnership to outline the clear responsibilities on the part of both the City and the owner to bring the concept to fruition. The resulting nearly two-year public process included approximately 25 public meetings and hundreds of people to ensure that both decision-makers and the public understand the relevant issues, opportunities, solutions and compromises associated with making these plans come to life.

The proposed redevelopment project combines an estimated \$250 Million in private improvements and up to \$22 Million in public improvements including:

- 274 Housing Units- 20% will be affordable to low and moderate income households, and 30% will be rented to Champlain College
- 362,000 Sq.Ft. of office space, including 110,000 Sq.Ft. for the UVM Medical Center
- 289,000 Sq.Ft. of retail space, including rehabilitating 61,000 Sq.Ft. of existing space
- 975 parking spaces, as well as bicycle parking and storage
- Reconnection of St. Paul Street and Pine Street between Cherry & Bank Streets
- Significant improvements to the site's stormwater management capacity
- Opportunity to explore creation of a district energy system to provide heat and hot water to downtown customers

A pre-development agreement was approved by the City Council in May 2016 which set the stage for advancing this exciting and transformative project. In order for this redevelopment project to move forward as proposed, an amendment to the *Comprehensive Development Ordinance* to allow for buildings up to 14-stories and 160-feet will need approval by the City Council, and the spending

the up to \$22 Million in Public improvements using Tax Increment Financing (TIF) will need approval by the voters.

- ***planBTV: South End Master Plan***



Building on the success of the *planBTV: Downtown and Waterfront Master Plan*, in early FY15 the Planning Department began a new planning process for Burlington's South End with a particular focus on the Enterprise District along Pine Street. With financial support from City, state, and federal sources, this process began with an information collection phase to gather background data around key issues and opportunities to inform a community conversation about the future of this dynamic and evolving part of our City. This effort has engaged hundreds of employees, employers, and residents in a planning process to better understand how to protect and preserve what is most loved about the South End while proactively preparing for its continued evolution and vitality.

The vision of *planBTV: South End* is to preserve and enhance the South End's distinctive characteristics so that it continues to be a desirable place to live, innovate and create. The South End has always been an important piece of Burlington's economy and a place of change, and this plan will define a path forward to help us keep it that way.



After significant public engagement, a draft plan was presented for public comment in June 2015. Since this time, the Planning Commission has been reviewing the public comments and preparing another draft for release in mid-FY17. More information is available online at www.burlingtonvt.gov/planBTV/SE.

- **Great Streets Initiative**



Working in collaboration with our colleagues at DPW, CEDO, Parks and City Arts, the Great Streets Initiative is a culmination of many years of planning and project development to make new investments in downtown public infrastructure, and to ensure that Burlington has a downtown that is a vibrant, walkable and sustainable urban center. This initiative will advance several key projects envisioned by plans such as *Imagine City Hall Park*, *planBTV Downtown & Waterfront*, the 2011 Transportation Plan, and the City's first *planBTV Walk/Bike* and incorporates three interrelated efforts: **Downtown Street Standards** will create a palette of urban elements and standard dimensions

that will lead to downtown streets that are beautiful, practical, affordable, sustainable, and appropriate for downtown Burlington from Pearl to Maple and Union to Battery; **Main Street / St. Paul Street Re-construction** will apply these standards and culminate in the construction of two key segments of Main Street between Pine and Church in 2018; and finally **City Hall Park Rehabilitation** continues the effort to reconstruct the only public park in downtown Burlington and advances the schematic designs from the 2011-2012 Imagine City Hall Park engagement process, and will culminate in the much anticipated rehabilitation of the park. More information about this project is available at www.greatstreetsbtv.com.

- **Permit Reform Initiative**

In an initiative being managed by the CIO's Office, the City is working to address long-standing community concerns regarding obtaining approvals to perform repairs and construction, improve the internal efficiency and experience with the process, and provide enhanced service to taxpayers.

The goal of the initiative is to ensure that Burlington's permitting process is:

- Consistent, efficient, transparent, and predictable;
- Ensures public health and safety;
- Supports energy efficiency; and
- Encourages investment and reinvestment.

Planning is working in partnership with DPW, Code Enforcement and the City Attorney's Office to develop a comprehensive set of recommendations to improve coordination, information sharing, and customer service. A final report from our consultant is expected in mid-FY2017.

- **Planning is really a team sport!**

We are very fortunate and grateful for the opportunity to work with a great team of dedicated professionals from across the City. Staff from CEDO, DPW, Parks, City Arts, IT, the Mayor's Office, and many others are critical partners for us. While the Planning Department plays a lead role in several projects each year, our staff also plays a supporting role in many of the important projects of other City Departments. Below is a sampling:

- Housing Action Plan (CEDO)
- Parking Initiatives (CEDO & DPW)
- Railyard Enterprise Project (CEDO & DPW)
- North Avenue Corridor Study Implementation (DPW)
- planBTV: Walk Bike Master Plan (DPW)
- Parks Master Plan (Parks, Recreation & Waterfront)

Staff Changes:

All of this great work can't get done without a strong and dedicated team. FY16 saw some changes in the Planning staff as we re-organized after some major changes from the previous year:

- In October we hired **Meagan Tuttle, AICP** as our new Principal Planner for Comprehensive Planning taking over in the position vacated by Sandrine Thibault, AICP. Meagan comes to us from State College, PA and is a graduate of Ball State University in Indiana. Her work in State College included a downtown and several neighborhood plans, as well as staffing their

Redevelopment Authority and working on a Neighborhood Reinvestment Program. Meagan hit the ground running on day-one and immediately defined herself as a go-to member of our team and several others across the City.

- With the retirement of long-time Assistant Director/Zoning Administrator Ken Lerner, our office began the process of restructuring our Development Review positions and responsibilities with the goal of making more efficient and productive use of the skills and experience we already have in-house before we seek to bring on new staff. Our re-organization plan was approved by the City Council in October. As a result:
 - **Scott Gustin, AICP** and **Mary O’Neil, AICP** were both promoted to the new position of “Principal Planner – Development Review” where they will share responsibilities managing all Current Planning functions of the office and act as “Assistant Zoning Administrative Officers” pursuant to the CDO. They will have broader responsibility for developing and implementing customer service, staff and volunteer training, development review process and development regulation improvements. Additionally, they will be more actively integrated with and participate in comprehensive planning projects and initiatives thereby broadening the capacity of that function within the office. Both Scott and Mary have extensive experience and years of dedicated service to the City. As a result, they know what’s working and what isn’t within the current process better than anyone, and are in the best position to implement proactive improvements.
 - In January we hired **Ryan Morrison, CFM** as our new Associate Planner for Development Review. Ryan comes to us with 11 years of zoning experience most recently in the Town of Waterbury, VT and before that in Washington state.