

## **DEPARTMENT OF PLANNING & ZONING ANNUAL REPORT**

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 plans including the City's Municipal Development Plan and other area-specific and issue-specific plans, conducts special studies and inventories, and researches and drafts amendments to City land development ordinances. Our work typically is accomplished in partnership with many other departments including CEDO, Parks and Recreation, Public Works, City Arts, and the Church Street Marketplace.

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 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.

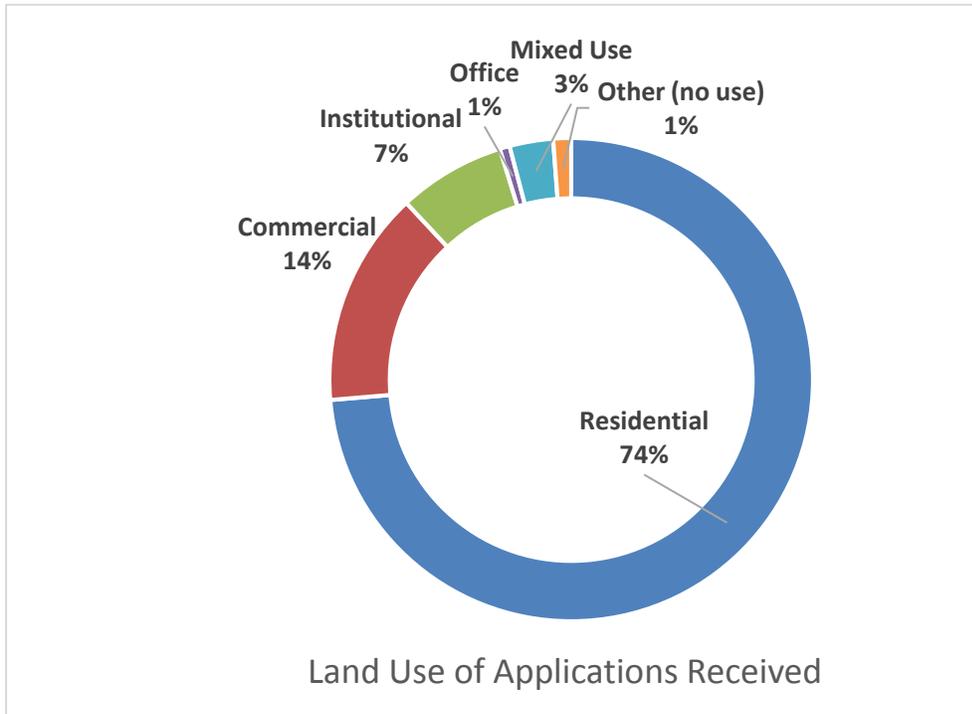
The Department's work is guided by a seven-member Planning Commission whose members formulate land use and development policy and regulations for consideration by the City Council. Another 25 citizen volunteers participate in the development review process as members of the Development Review Board (DRB), Design Advisory Board, 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:**

During FY14, a total of 1,327 requests for zoning permits or determinations were processed by our staff. This was among the highest number of requests ever processed by our office in a single year – part of a steady increase over six of the past eight years. Overall, 902 zoning permit applications were reviewed, with an approval rate of 97.7 percent. Reviewed projects had a total estimated construction cost of \$58.8 million and proposed to add 440 new residential units to the city – the most since FY11.

Of this total:

- 828 permit applications (approximately 94%) were reviewed administratively by the Planning staff, with an approval rate of 99%. Additionally, staff issued 385 administrative determinations, including those indicating a zoning permit is not required for the work proposed;
- 74 permit applications and 7 appeals of administrative decisions were reviewed by the Development Review Board (DRB), with an approval rate of 88.2%; and
- Nine DRB decisions were appealed to the VT Superior Court – Environmental Division.



The Department provides daily updates on the status of all applications currently under review on its website ([www.burlingtonvt.gov/pz](http://www.burlingtonvt.gov/pz)). This information is useful to residents who 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 always are in search of ways to make the development review process more effective and easier to use. 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 consideration and final adoption. A total of 11 amendments to the *Comprehensive Development Ordinance* were developed by staff and considered by the Planning Commission in

FY14. Among these include changes to support urban agriculture and the recommendations of the Urban Agriculture Task Force.

The Burlington *Comprehensive Development Ordinance* is available in both hardcopy and digitally on the Department's website ([www.burlingtonvt.gov/pz](http://www.burlingtonvt.gov/pz)), which also includes all pending ordinance amendments currently under consideration and 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 works 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 planning projects Department staff have been engaged in 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 and enthusiastically adopted by the City Council on June 10, 2013 and officially made part of the City's Municipal Development Plan.

Efforts to implement the plan's vision have been ongoing including 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, 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](http://www.Burlingtonvt.gov/planbtv) to learn more and see what's going on.

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

Following the development of the *planBTV: Downtown and Waterfront Master Plan*, the City is modify our zoning ordinance in order to ensure that the vision gets built. The plan specifically calls for a more predictable "form-based" approach that works to consolidate, simplify, and update zoning language to reflect the desires of the community.



A form-based code shifts the emphasis away from use and instead looks to form as the primary organizing principle. Traditional use-based zoning is commonly understood as a significant driver behind the development of auto-oriented sprawl development and suburban style infill in downtowns. Form-based zoning instead focus more on the physical form of a place, specifically on the space between buildings that make up the public realm, including where the building sits on a lot, the frontage, sidewalk, planting area, drainage, and the street itself. Because of the level of detail they provide, form-based zoning codes offer greater predictability for both applicants and the community.

Burlington has been using many different form-based elements in its zoning since it first implemented a Design Review process in 1973. This shift to a more comprehensive and robust form based approach for our downtown and waterfront is a logical step in this evolution. Planning staff has been working on the development of a form-based zoning code for the downtown and waterfront with their consultant team and a group of local design and development professionals with the goal of issuing a public draft in mid-2014.

- ***planBTV: Municipal Development Plan - Climate Action Plan & Open Space Protection Plan Revisions***

In addition to the adoption of the *planBTV: Downtown and Waterfront Master Plan*, the City's Municipal Development Plan was amended in 2014 to also incorporate updates to the Climate Action Plan and Open Space Protection Plan. As part of this process, the Municipal Development Plan was also renamed under the "planBTV" brand to help illustrate the interrelationships between the various planning documents and processes undertaken by the City.

With assistance from Planning and CEDO staff, the Planning Commission reviewed and recommended for adoption a revision to the City's 2000 *Climate Action Plan (CAP)*. Priority efforts are divided into eight action areas: Energy Efficiency in Buildings; Renewable Energy Resources; City Government Transportation; Community Transportation; Waste Reduction and Recycling; Local Farms, Gardens, and Food Production; Urban Forestry and Carbon Offsets; and Policy and Education. These action areas correspond to either emission sources or reduction strategies and allow planners to organize and implement efforts accordingly.

Under the direction of the Conservation Board, staff from Planning and Parks prepared an update to the 2000 *Open Space Protection Plan*. The 2000 Plan focused on significant natural areas and recreational access. The proposed update builds on this work, reflecting changes in land use, land development, conservation, regulations, and planning policies that have occurred since 2000. The update also sets forth new goals and objectives in pursuit of future open space protection in the City, including topics such as: Community gardens and urban agriculture; Pocket parks; Stormwater infrastructure and



functional green space; Contiguity of the trails system and access to it; and, Access to natural areas from each part of the city.

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



Building on the success of the *planBTV: Downtown and Waterfront Master Plan*, the Planning Department began a new planning process that will lead to the development of a master land use and development plan for Burlington's South End. The South End is rapidly growing and changing.

This effort is being designed to engage employees, employers and residents in a planning process to protect and preserved what is most loved about the South End while proactively preparing for the continued growth and change. 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. This information will be used to inform a community conversation about the future of this dynamic and evolving part of our city that will take place largely during the winter and spring of 2015.

- **Re-Districting**

The Department provided technical staff support to the City's efforts to re-drawn new Ward boundaries. Population changes since the 1990 Census require the City's Wards to be re-drawn to reflect these changes and ensure equal representation on the City Council. Using the City's geographic information system (GIS), Planning staff assisted, first a Redistricting Committee comprised of City Councilors and NPA members and later the Council's Charter Change Committee, in creating and evaluating a wide range of re-districting scenarios that ultimately received approval by Burlington's voters and the VT Legislature before taking full effect in March 2015.

- **Historic Preservation Planning**

The Department helped the College Street Congregational Church obtain architectural planning and engineering support demanded by the fire and loss of their iconic steeple on October 23, 2013 by working as a "pass-through" for a federal Historic Preservation Grant. The congregation is now working on plans to reconstruct the 1863-66 component (clock added 1878.) The College Street Congregational Church is on the National Register of Historic Places, within the Main Street / College Street National Register District.



Additional federal grant funds supported a daylong seminar for cultural property managers on fire risk management and protection strategies. The recent loss of the College Street Congregational Church Steeple awakened a need to provide training, and tools for those responsible for the maintenance, care, and sustainability of our most sensitive and revered cultural resources. In partnership with two respected fire engineers, the Planning Dept. helped to provide training on fire risk management and protection strategies. 52 people participated in this early March event

including architects, building inspectors, firefighters, first responders, building inspectors, caretakers of historic or cultural properties, planners, institutions, historic house museum managers/owners, home builders, contractors, housing conservation boards and maintenance technicians.

- **FEMA Hazard Mitigation Grant**

In December 2013, the Department successfully completed a \$205,000 Hazard Mitigation Grant project to remove a flood-damaged home from 33 North Cove Road as a result of the 2011 spring flooding of Lake Champlain. Specific items covered in the project included pre-disaster appraisal of the property, onsite environmental assessment for lead and asbestos contamination, demolition and conversion to green space, and city acquisition of the property as permanent green space. Removal of the structure prevents future flood losses on this property located within the flood hazard area.