

## Burlington Planning Commission

149 Church Street  
Burlington, VT 05401  
Telephone: (802) 865-7188  
(802) 865-7195 (FAX)  
(802) 865-7144 (TTY)

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

*Andy Montroll, Chair  
Bruce Baker, Vice-Chair  
Yves Bradley  
Alexander Friend  
Emily Lee  
Harris Roen  
Jennifer Wallace-Brodeur  
Eamon Dunn, Youth Member*



## **Burlington Planning Commission** **Tuesday, March 13, 2018, 6:30 P.M.** **Conference Room 12, City Hall, 149 Church Street** **Minutes**

Commission Members Present: A Montroll, B Baker, Y Bradley, J Wallace-Brodeur, H Roen, A Friend, E Dunn

Commission Members Absent: E Lee

Staff Members Present: D White, S Gustin, M Tuttle, A Wade

### **I. Agenda**

The Chair called the meeting to order at 6:30pm. No changes to agenda.

### **II. Public Forum**

There were no members of the public who wished to speak.

### **III. Report of the Chair**

No report.

### **IV. Report of the Director**

D White: Recent modifications to City Place plans includes façade changes, an addition of 12 units of housing which will wrap parking on all sides, A second amendment will go before DRB, including additional changes to the upper story and massing for pool and fitness center. In a deliberative session Monday, the DRB discussed City Hall Park, and while they did not take action indicated affirmative findings. Meagan is working on the Municipal Development Plan in coordination with other City departments, and working with the team to wrap up the Great Streets project. Zoning permits numbers are behind, and not many large projects. UVM is working on a new event center. We are anticipating an application for the new YMCA building soon which resolves the issues pertaining to frontage by expanding the building on both sides of the street.

### **V. Proposed ZA-18-07: Article 3 Amendments**

S Gustin: This amendment is sent forward by the Ordinance Committee. Addresses timelines for the deferral of applications, time limits on zoning permits, and the provision of extensions.

The Commission unanimously approved a motion by A Friend, and seconded by H Roen, to warn the proposed amendment for public hearing and approve the statutory report.

### **VI. Proposed CDO Amendment: Sign Ordinance**

D White: Several major revisions for the sign ordinance since the last discussion. Most dimensional requirements are the same as the current CDO. Discovered many City ordinances pertaining to signs outside of the zoning ordinance that are in conflict with the sign ordinance. We are looking to consolidate and eliminate

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regulations which no longer apply, maintaining them in one place. The City of South Burlington approved sign regulations under their town's police powers, which eliminated nonconformities. If the decision is made to go in that direction, we need to be clear how the ordinance speaks to nonconformities. Signs inside buildings treated within formed based code must be consistent in allowing for an unobstructed view into the window of a structure. Signage on an athletic field complex fixed to a fence or score board are exempt. Holiday decorations are permissible if not interfering with public safety. Public art and murals on side of buildings are acceptable. The question is when does a mural become a sign. We need clarity in the ordinance allowing for creative murals and providing clear boundaries for when it becomes a sign.

H Roen: Different sizes of signs at various breweries on Pine Street due to their expression as art or signs.

A Friend: Question is whether it promotes the commercial enterprise.

D White: Legal track record is unclear as to how the courts treat this. Signs in the ROW are not under zoning jurisdiction. The Supreme Ct. rules that all temporary signs should be controlled and consistent for time, manner and duration. Three types of temporary signs, yard sale, real estate, and election signs are regulated by the ordinance. The Courts single out these particular signs for public interest pertaining to duration.

Need an objective way to measure the lighting on the sign face, not what's projected, which is the nit. A typical nit measurement is 250 nits, which is consistent with Buffalo and Hartford's lighting codes. Added a lighting table for each zoned district shows what combinations of signs can be used on each facade. Currently working on the changes for projecting signs, and parameters for moving signs.

Y Bradley: Would like to allow people to put up historic signs that may allow for movement.

D White: The master sign plan and current language needs to be coherent and show continuity.

Y Bradley: Can we consider signs that are larger based on sq. ft. of building?

D White: This would allow larger tenants to have more signage.

Y Bradley: It should be the landlords' job to regulate signage between tenants.

A Montroll: There needs to be flexibility for signs to be unique. Signage in the south end is unclear.

D White: What I'm hearing is that the master sign plan should be a requirement only for City property and parks. In other areas, sign plans are optional but not required, and signage should allow for creativity.

A Montroll: Is there enough of a distinction between commercial and noncommercial signage?

D White: The distinction between commercial and noncommercial signage is based on court rulings. Consistency comes from how you treat each sign regarding time, manner, and location.

## **VII. 2019 Update to planBTV: Municipal Development Plan**

M Tuttle: At the last meeting, we spoke about the general process of updating plan BTV and an opportunity to refresh the specific goals that support the vision. planBTV is a city wide plan with 10 planning chapters, 80 policy statements and 125 action items. The vision of a sustainable Burlington community expects growth is and identifies ways to balance this over time in a way that's consistent with community character. The current structure of the plan is derived from state statute requirements for municipal plans. Presentation is a very brief overview of each chapter, which includes Land Use, Built Environment, Natural Environment, Housing, Historic Preservation, Transportation, Facilities and Services, Economic Development, Education and Energy. Encourage Commissioners to refresh on their own the details as we move into update process.

Meeting with all city departments to understand the work they are doing and to understand what needs to be in the plan for future. The idea is to make planBTV more concise and organized in its approach by identifying what is important and reducing redundancy. We are giving thought on how all planned elements can be cohesively defined. More detail will be provided about how we've implemented these action items and what continues to be relevant in future meetings.

D White: This is largely about looking at the overlap and redundancy in the plans. We will be reframing it to be more readable and interconnected toward a single common objective.

H Roen: The goal is adoption by the City Council, so what is the role of the CCRPC?

M Tuttle: CCRPC helps us ensure we are meeting our statewide planning goals. They assist municipalities as plans are about to expire. This is our process to develop a plan before the RPC reviews it for meeting statutory requirements. After local adoption, the CCRPC also adopts it.

A Montroll: The regional planning commissions also look for consistency with the regional plan.

H Roen: Does this become a regulatory plan at the regional level?

A Montroll: Parts of it are.

D White: We need to show consistency with the regional plan, particularly in issues related to Act 250.

### **VIII. Committee Reports**

Executive Committee: M Tuttle: Planning a community engagement with the community for the month of May where we will ask commission members to attend the community workshops. Will distribute a sign up sheet.

### **IX. Commissioner Items**

E Dunn: The Burlington High School will undergo renovations for handicap accessibility, better access to entrances, lighting, air quality and energy efficiency. The objectives of the renovation, includes more accessibility, stage support space, informal student gathering spaces, reconfigured classrooms, maintenance needs, complete MEP upgrades, athletic support spaces and locker rooms, individual academic departments, and centralizing office spaces around library, The Superintendent is planning community input sessions to go over costs and the effect on property taxes.

H Roen: What does wheelchair bound person do now?

E Dunn: There is an elevator and outdated ramps.

J. Wallace-Brodeur: Is the plan to demolish and rebuild or fix problems?

E Dunn: It's about fixing what's there.

A Montroll: Is this a phased in project?

D White: The work has to do with wrapping a new building around the gym that will not have as much disruption for students and staff as the work progresses. Has there been a decision on any one plan?

E Dunn: Superintendent shared two with the students, but the feedback was to renovate instead of build new—it was cheaper and the students didn't want to lose the football field.

J. Wallace-Brodeur: What is the role of Planning and Zoning for the process?

D White: Planning and Zoning will be permitting this project. Also looking into new zoning districts for schools as many are currently in zoning districts which present severe dimensional constraints.

### **X. Minutes & Communications**

The Commission unanimously approved a motion by B Baker, seconded by H Roen, accept the communications, with of the wetland permit notice to the conservation board, and to approve the minutes of February 13, 2018.

**XI. Adjourn**

The Commission unanimously approved a motion by B Baker, seconded by J Wallace-Brodeur, to adjourn the meeting at 8:12pm.



Signed: March 27, 2018

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Andy Montroll, Chair



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Anita Wade, Planning and Zoning Clerk