

Burlington Planning Commission

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Burlington Planning Commission Minutes

Tuesday, May 27, 2014 - 6:30 pm

Present: H. Roen, L. Buffinton, J. Wallace Brodeur, Y. Bradley, B. Baker, A. Montroll (by phone)

Absent: E. Lee

Staff: D. White, E. Tillotson

I. Agenda

No change.

II. Public Forum

No one present.

III. Report of the Chair

No report.

IV. Report of the Director

No report.

V. Form Based Code

D. White: Gave a presentation on the draft Form-Based Code for the downtown and waterfront which implement the planBTV-Downtown & Waterfront Plan recently adopted.

A form-based code is based on the transect which consists of a continuum of the most developed area to least developed. Character district T6 is the most urbanized and was chosen to be used since Burlington is the most urbanized City in the state, and it is relative to the community. District T1, the least urbanized district, an example would be something similar to the Intervale or a park.

Form Based Code is oriented to the individual municipality where it functions. For instance, the Burlington FBC is quite different from that of South Burlington. The focus for Burlington is on the pedestrian access which will make the downtown/waterfront economically viable.

Y. Bradley: One thing that is important to stress is the relationship between the FBC pedestrian experience and the developments that the Department of Public Works is incorporating.

D. White: At present there is no jurisdiction for zoning to take effect within the public right of way, but it is a possibility. The Department of Public Works has no city street standards at present and also no staff available to work on establishing standards at this point.

Y. Bradley: This is an opportunity to begin dialogue with Public Works about standards for public right of ways.

D. White: There are new national documents around these standards. FBC is typically highly graphic and very proscriptive. It provides greater certainty for the applicant and the community.

B. Baker: Can there be a risk when an overly proscriptive marketplace could move faster than the ordinance?

As approved by the Burlington Planning Commission on August 12, 2014.

D. White: It is possible and he will touch on this further. More predictable results produce a more predictable interface. FBC are adapted to local contexts and can be written for anything. The present zoning ordinance contains a lot of elements of FBC. .

Components of Form Based Code

- Character districts
- Building types
- Frontage types

The regulating plan will contain: five character districts, also special districts, (railyard & wastewater), civic spaces (parks), special building heights and shopfront requirements will be special areas. This presently applies to downtown and waterfront only but could be expanded in the future. There will be generous illustrations and photographs to indicate predictable development for each of the character districts.

The review process will be very different as specified in Sec 14.7. The DRB only reviews on specific issues. Currently a conditional use decision by the DRB which is appealed, proceeds to State Environmental Court, and an appealed staff decision proceeds to the DRB. It is recommended with FBC that DRB decisions to be heard as on the record review.

The use will be reviewed by the DRB and will not involve the design standards. Now the DRB reviews anything/everything to do with the application. This approach will lessen the DRB workload and will streamline the process. It is possible to add more tools, to define the standards, retain predictability. Conditional uses will decrease. The Zoning Ordinance Committee is working on an amendment changing some conditional uses to permitted uses.

There is allowance for variance of the form: hierarchy: administrative relief, DRB relief, variances. This is a framework where all sorts of things can be added.

H. Roen: Where are we in terms of FBC?

D. White: We have a draft out for comments and will include the Planning Commission. He and Sandrine are scheduled to go to a couple of NPAs for a generic presentation, the Church Street Marketplace, etc. We are hoping to start the adoption process by fall and wish to include the City Council along with the Planning Commission.

L. Buffinton: Are there any specific communities as examples?

D. White: Cincinnati has a floating code; it seems to be the best example. Burlington has the same kind of organization and during the process we have compared it to lots of other cities.

Y. Bradley: You have managed to do a wonderful job of distilling the FBC.

D. White: There is still a lot of work to do. I'm always wondering what have we missed?

J. Wallace-Brodeur: I like the presentation a lot, it is well illustrated. It is the general consensus of the Commission that it will make the process easier, more predictable.

Y. Bradley: It is going to be really important to involve the City Council in the process for dialogue. The Ordinance Committee needs to work more closely with the City Council.

D. White: The focus on broad goals will need to be flushed out for the City Council and the public.

L. Buffinton: This approach to urban design could work really well.

D. White: The code (FBC) focuses on the most important components.

A. Montroll: Has real confidence in the Planning staff will be important, and fully following the rules. Will Staff practice for reviewing projects?

D. White: We have talked about developing a checklist which would be part of the record.

Y. Bradley: I keep getting back to staff interpretation of the regulations; there is a strong sense that there will be little that is arbitrary. Staff needs to have a full understanding of the process.

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VI. Committee Reports

No reports.

VII. Commissioners Items

J Wallace-Brodeur: Will be traveling in July.

B Baker: Is there any decision on the previously discussed 15 year limitations? No

D White: Will mention that to the City attorney's Office.

VIII. Minutes/Communications

None.

IX. Adjourn

On a motion by H. Roen, seconded by L. Buffinton, the Commission unanimously adjourned the meeting at 8:36pm.



Y. Bradley, Chair

8-22-2014

Date



E. Tillotson, recording secretary