

Burlington Planning Commission

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Joint Planning Commission and City Council Form-Based Code Committee

REGULAR MEETING

Tuesday, January 6, 2015 - 7:00 P.M.

Conference Room #12, Ground Floor, City Hall, 149 Church Street

Meeting Notes

Note: times given are approximate unless otherwise noted.

I. Agenda

II. Overview of tonight's meeting

D. White – Gave an overview of tonight's meeting.

III. Public Forum – (15 min)

A. Simon – Ward 5 – As a lay person and a Burlington citizen trying to understand the implications of the proposed Form-Based Code changes to the city's ordinances, I have not delved deeply, as you have and will, into all the details of these proposals. Instead, I have a list of elementary questions. I do not expect responses from the Committee to these questions; however I am looking for answers.

1. What exactly is "broken" about the current system of development review that the proposed changes address?
2. How does FBC propose to rectify the perceived deficits of the current process?
3. At what point in the FBC process does the public, as individuals, as municipal commissions or in another context, have input on development decisions?
4. Does the FBC process represent less public input than the current ordinance?
5. What moderates FBC's normative approach to building appearance to allow for the quirky multi-textured streetscapes that especially characterize the older sections of Burlington?
6. How does FBC address questions of quality of construction materials, energy efficiency, and waste reduction?
7. What lessons and cautionary tales have emerged from other North American cities' experiments with FBC?

Diane Gayer – (See attached comments for full version) – She understands the amount of work involved in preparing the code. She observed a lot here and elsewhere in the US. Many communities are streamlining the process by joining the zoning, building and all other permit processes. We do not need FBC to reach what we hope, increase density and or protect historic buildings. This is opposite to the goal that we want of making things easier.

IV. Downtown Form-Based Code Review

The Committee continued its review of the Draft Form-Based Code. D. White presented the building types and frontages types.

Section 14.4 – Specific to Building Types

A. Montroll - Street activation standards, why do we care about this on all streets?

D. White – Because even in a residential context we care about the amount of void on a façade.

A. Montroll – Mixed use building – What if someone wants only one tenant like People’s Bank for example?

D. White – This would not be allowed here indeed.

A. Montroll – if other uses are allowed in a multi-family, then how do units apply?

D. White – We define a “unit” as: “a discrete portion of a building dedicated by lease or ownership to an individual use.”

J. Shannon - How do we know that non-residential uses are only allowed on corner mixed-use buildings?

D. White - The use table in the form district standards mentions that.

J. Shannon – How does that work in our built environment where many office uses are allowed in other places in FD4?

D. White – This is a current issue that we have now with proliferation of non-residential uses in more residential district.

E. Lee – How would an accessory apartment apply and fit into FD4? This is required to be allowed by state law.

D. White - Carriage house building type or detached house would allow for accessory apartment.

J. Shannon – Would it make it easier to subdivide the lot?

D. White – No, the accessory unit needs to be associated with principal building on the lot.

J. Shannon – What defines it as Civic building? Can anyone call a building civic and do what they want?

D. White – This is an example that is more based on the use?

J. Shannon – What if it’s is a wet shelter?

D. White – Is it operated for a public or semi-public entity?

K. Sturtevant – There is a definition for civic building.

K. Paul – We should talk about place of workship when referring to Civic Uses not churches in the description.

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Section 14.5 – Specific to Frontage Types

A. Montroll – Do porches have to have a roof?

S. Thibault – Yes, they are required to have a roof.

K. Paul – Did you come up with those names or is this a convention within the FBC community?

D. White – We used what many codes use and in some we came up with to meet our needs in Burlington.

A. Montroll – How would someone know to use the shopfront or officefront?

D. White – Is a particular frontage required in the district, like shopfronts in FD6 along some streets. If not, it's up to the owner and developers to decide what they want to do.

J. Shannon – If there isn't an example of a gallery in Burlington, why do we want to allow that?

D. White – Even if we don't have examples, we might want that to happen?

J. Shannon – Can we get an overview meeting to meeting of where we are going next?

D. White – We probably need one or two more meetings to cover the content of the code and then we can begin to enter in more substantive discussions on content. We can then come back to issues that have been raised during previous meetings.

V. Public Forum – (15 min)

B. Goblik – It's been a while since the last presentation. The glazing for shopfront requirements 3 to 10' will get generic type development. Get more specific to require different height of sill between buildings.

E. Lee – 90% of the city is already developed. This will be random new development that will happen very slowly and we won't require people to change their buildings when the code is adopted.

P. Owens – This is not prescribing a cookie-cutter approach but giving a range of allowable range of requirements. Designers will bring they own genius to the design of a building. Fabric of Burlington is made over many decades that give this richness. This is what this code is trying to get at.

B. Goblik – We might be accelerating development with this new code.

A. Radcliffe – This is a draft. Is this a done deal or still up for grabs?

D. White – Draft of what is proposed at this point? The understanding is that this will be implemented. The City Council needs to approve the code.

J. Shannon – This is not a done deal.

A. Radcliffe - Booklet itself is extremely complicated. The way the information is presented is really hard to understand. Booklet could be presented in clearer way. Will the public get a chance to understand it before it gets adopted?

D. White – The whole copy is up for discussion and the PC and CC will decide what happens with it. It is designed for the user: developer and staff and regulators.

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A. Radcliffe – If community members want to have input on this? Will we present this information differently?

D. White – It is a technical and legal document so there are certain things that need to be included. Not everyone might understand it. It is also not meant to be read as a book.

K. Paul – We struggled with the organization of the code because it's not linear. Understanding it now!

W. Senville – The FBC is full of standards. How were they derived? Survey or based on input from architects?

D. White – Our consultants did a synoptic survey of what we have here in Burlington already. Also based on current regulations and some based on input we received from architects and landscape architects. Design professionals are currently testing the code on some sites.

M. Tracy – After you test the code can we invite the architects to come in and talk with the committee?

A. Simon - Committee time limited deadline? April 1st.

J. Shannon – Can we get a timeline on how we get to April 1st? We should know if we are on schedule? Concern – is there going to be more public process with defining the code. Make sure the document is understandable to the public.

K. Shannon – Public process started with planBTV and then there is this process now and it will go to PC and CC as well.

D. White – the plan outlined what policy issues we are looking at and then the code outlines how those happen?

A. Montroll – He will work with staff on the schedule moving forward

K. Paul – April 1st, there was a reason with the deadline because it makes sense for the current council to be done with the joint committee work.

E. Morrow – The city is going into fresh tracks with this, there are only 200+ towns that have FBCs in place, less than 1% of communities.

D. Gayer – Great to have it tested. Joint committee should test it as well to really understand it. What happens to the existing buildings?

E. Morrow – Would existing projects have been approved under the code is a false question because they are the result of DAB and DRB review.

VI. Adjourn