

## Department of Planning and Zoning

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**TO:** Planning Commission Ordinance Committee  
**FROM:** Scott Gustin and Megan Moir  
**DATE:** January 9, 2014  
**RE:** Low Impact Development (LID) Amendment to CDO

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The purpose of this proposed amendment is to provide incentive for converting traditionally hard surfaces into green or pervious surfaces. The incentive is aimed at pervious pavements. Incentive associated with green roofs has not been included in this proposal but may be considered in the future. Driveway strips have also been considered. The requirement for paved parking areas associated with strip driveways should be eliminated, and, as a matter of interpretation, parking areas over driveway strips should not be counted as lot coverage. In the coming year, we will be evaluating opportunities for incentives related to permit fees to incentivize pervious pavements where coverage limits are not an issue. However, as you are aware, changes to the fee schedule do not require a change to the CDO, and thus will be handled separately when we have pursued a more thorough review.

Lot coverage for pervious pavements would be calculated at a reduced rate. The reduced rate would be tied directly to performance of the pervious pavement relative to the water quantity and water quality standards articulated in the Burlington Stormwater Credit Manual. For example, a pervious pavement installation qualifying for a 25% credit in the Stormwater Credit Manual would qualify for a 25% reduction in calculated lot coverage area (i.e. a 1,000 sf area would be calculated as 750 sf). The maximum coverage credit for the pervious driveway area would be 50%. In the case of strip driveways in which the strips are made of pervious paving materials, the property would be eligible for up to a 50% credit for the areas of the driveway surfaced with pervious paving material. The grassed area of the driveway (the strip in the middle) would not count towards coverage totals (and essentially is receiving 100% credit).

Maximum bonuses are limited by ordinance section already (multiple bonus provisions may be made up to a maximum). This would be one more bonus that could be used towards the maximum.

Proposed CDO Language:

### **Article 5: Citywide General Regulations**

#### **Part 2: Dimensional Requirements**

##### **Sec. 5.2.3, Lot Coverage Requirements, (b) Exceptions to Lot Coverage:**

9. Lot coverage for pervious pavement shall be calculated at a reduced rate determined by the performance measure achieved as articulated in Sections 3.2A, Water Quantity Reduction Credits, and 3.2B, Water Quality Treatment Credits, of the City of Burlington Stormwater Credit Manual. For the purposes of lot coverage calculation, the percentage of credit a pervious pavement installation qualifies for in the Manual shall be used as the percentage of reduction in lot coverage calculation. For example, a pervious pavement installation qualifying for a 25% credit in the Stormwater Credit Manual would qualify for a 25% reduction in calculated lot coverage area (i.e. a

1,000 sf area would be calculated as 750 sf). No credit in lot coverage calculation for pervious pavement surfaces shall exceed 50% or as limited by the lot coverage development bonus provisions of Article 4, whichever is lower. For the purposes of lot coverage only, the credit provisions of the Manual shall apply to all properties.

For strip driveways, the pervious pavement credit (up to 50%) may be applied to the “paved” strips if they are constructed of pervious pavement systems. The vegetated middle strip shall receive 100% credit.

The coverage credit shall apply to the entire surface area of the pervious pavement area.

Strip driveways shall also receive 100% credit for the entire middle strip area, provided that the middle strip is a stable vegetated surface.

## **Article 6: Development Review Standards**

### **Part 2: Site Plan Design Standards**

#### **Sec. 6.2.2, Review Standards, (i) Vehicular Access:**

Residential driveways shall be a minimum of 7 feet in width or consist of two 2' driveway strips made of pavement or pervious pavement with vegetated pervious material in between the strips. ~~Driveway strips shall be accompanied by a paved area for the parking and/or storage of motor vehicles.~~ The maximum width for single or shared access driveways shall be 18'. In a residential district, driveways and parking areas shall be set back a minimum of 5' from side and rear property lines.

Driveway sections that have a slope of 5% or greater (towards the right of way) shall be made of a solid surface including conventional pavement, pavers or pervious pavement. Driveways sections with a slope of 2% - 5% and proposed to be constructed with a non-solid surface (surface other than conventional pavement, pavers or pervious pavement) are subject to the review and approval of the Stormwater Administrator.

#### **Article 13: Definitions**

**Building Coverage:** That portion of lot coverage associated with buildings (primary and accessory buildings) but not including driveways, parking, patios, and the like.

**Stormwater Administrator:** The administrative officer of Chapter 26: Wastewater, Stormwater, and Pollution Control for the City of Burlington.

**Pervious pavement:** Pervious pavement is a permeable pavement surface with an underlying stone reservoir that temporarily stores surface runoff before infiltrating into the subsoil. Pervious pavement includes porous asphalt, pervious concrete, grass pavers, and plastic grid systems, or their equivalents as deemed acceptable by the Stormwater Administrator.