



South Burlington Planning Commission Proposed Land Development Regulations Amendment & Adoption Report

Planning Commission Public Hearing Tuesday, October 26, 2021, 7:00 pm

In accordance with 24 V.S.A. §4441, the South Burlington Planning Commission has prepared the following report regarding the proposed amendments and adoption of the City's Land Development Regulations.

Outline of the Proposed Overall Amendments

The South Burlington Planning Commission will hold a public hearing on October 26, 2021 at 7:00 pm, in person and via GoToMeeting electronic platform, to consider the following amendments to the South Burlington Land Development Regulations:

- A. LDR-20-01: Replace Surface Water Protection Standards with Environmental Protection Standards, including existing 100-year floodplain, river corridor & stream buffer, wetland & wetland buffer, and stormwater management standards; establishment of standards regarding 500-year (0.2%) floodplain, habitat block, habitat connector, steep slope, and very steep slope standards; establishment of criteria to evaluate undue adverse effect; and related amendments referencing the above-listed resources.
- B. LDR-21-02: Generally amend or replace existing Subdivision, Master Plan, Planned Unit Development (PUD), Site Plan, Conservation PUD, Traditional Neighborhood Development PUD, Civic Space Types, Street Types, Building Type, and related zoning district, procedural, and site plan standards
- C. LDR-20-08: Modify required setbacks applicable to arterial and collector roads
- D. LDR-21-04: Modify Southeast Quadrant sub-district boundaries including and between Natural Resource Protection, Neighborhood Residential, and Village Residential
- E. LDR-21-05: Change zoning of land to the west of Hinesburg Road, immediately south of I-89, from Industrial-Open Space to Residential 7-Neighborhood Commercial
- F. LDR-21-06: Modify Commercial 1- Residential 15 and Residential 4 boundaries in vicinity of Lindenwood Dr to more closely following property lines
- G. LDR-21-07: Update citywide stormwater standards, including for consistency with state regulations
- H. LDR-20-10: Establish maximum building envelopes for allowed development in the SEQ-NRP subdistrict, modify allowed building types

- I. LDR-20-17: Extend southeast quadrant zoning district residential building design standard city-wide, update standards
- J. LDR-21-01 Require Solar-Ready Roofs for new buildings subject to Commercial Building Energy Standards
- K. LDR-19-07 Modify landscape requirements to allow for Solar Canopies in Parking Areas;
- L. LDR-20-22: Update to comply with Act 179 pertaining to accessory dwelling units, existing small lots, and conditional use criteria for multi-family housing
- M. LDR-20-25: Increase s.f. maximum specific to accessory structures and update for consistency with Act 179
- N. LDR-20-28: Expand inclusionary zoning, offset, and bonus provisions city-wide, replacing existing bonus standards where existing
- O. LDR-21-03: Allow for “limited neighborhood commercial use” within a larger residential building for neighborhoods with Master Plan
- P. LDR-21-07: Exempt the conversion of a dwelling to a licensed child care facility from housing preservation requirements
- Q. LDR-20-21 Minor and technical amendments to include:
 - Modify retaining wall standards;
 - Eliminate DRB review of Bus Shelters within city ROW;
 - Modify parking lot landscape standards to allow for solar canopies;
 - Amend RV Parking standards;
 - Amend Traffic visibility standards for consistency;
 - Update Airport Approach Cones & FAA review;
 - Amend review standards of Earth Products;
 - Amend review standards for Utility Cabinets and Similar;
 - Re-organize standards for drive-throughs;
 - Update & clarify height of Accessory Structures;
 - Update additional Height Standards for consistency;
 - Modify standards for structures requiring setbacks;
 - Modify setbacks for pre-existing lots;
 - Update setbacks and Buffer Strips Adjacent to Residential Districts for consistency;
 - General re-organization, definitions updates, and corrections (throughout)

Brief Description and Findings Concerning the Proposed Amendments

A. LDR-20-01: Replace Surface Water Protection Standards with Environmental Protection Standards

Brief Description of the Proposed Amendment

The proposed amendments include the following:

- Enhancement of standards and/or geographic area for protection of natural resources currently regulated by the City: notably 100-year floodplains, class I and II wetlands, streams, and river corridors
- Mapping and establishment of standards for newly-regulated natural resources: habitat blocks, habitat connectors, steep slopes, and 500-year floodplains
- Update of stormwater management and 100-year floodplain standards to current best practices and streamlining of review for public stormwater restoration projects
- Update of references to natural resources throughout the regulations to be directed to the Environmental Protection Standards of Articles 10 and 12
- Establishing thresholds and consistent standards of review applicable to limited allowances for impacts to regulated natural resources, including infrastructure
- Categorization of regulated natural resources into three tiers

Below is a table summarizing the proposed changes / additions to natural resource

| Hazards | Status | Summary of Proposed Changes |
|------------------------------------|--------------------|--|
| 100 year (1%) Floodplain | Existing | Updates for consistency with State guidelines, provision for historic structures |
| 500-year (0.2%) Floodplain B2 Area | New | No new buildings in the 500-year floodplain; substantial renovations must meet floodproofing standards |
| River Corridors and Surface Waters | Existing | Consolidates two overlapping sets of current standards: Stream Buffer and River Corridors. Geographic areas includes areas previously included under each, and uniform measurement from top of bank/slope for buffers. Allowable incursions into buffers are reduced. |
| Class I, II Wetlands, Buffers | Existing, Expanded | Buffer for Class II wetlands expanded from 50' to 100' in residential and conservation districts. Allowable incursions in areas outside City Center FBC limited to only certain infrastructure and exemptions. Updated standards within City Center FBC. <i>[Class I wetland buffers also expanded, none presently identified in South Burlington]</i> |
| Very Steep Slopes (25+%) | New | No new development except certain infrastructure and exemptions |
| Level I Resources | Status | Summary of Proposed Changes |
| <i>Habitat Blocks</i> | New | No new development within City-mapped Habitat Blocks except certain allowances to exchange land certain infrastructure, parcels with >70% Hazards/Level 1, and exemptions |
| <i>Habitat Connectors</i> | New | Habitat connector function must be kept intact, mapped location may be modified with approval |
| Level II Resources | Status | Summary of Proposed Changes |

| | | |
|-------------------------------|----------|--|
| 500-year Floodplain B1 Zone | New | New development and substantial renovation must meet floodproofing standards |
| Class III Wetlands, Buffers | Existing | Wetlands under 300 s.f. are exempted. Updated standards for review of proposed impact |
| Steep Slopes (15 to 25%) | New | New development must demonstrate slope stabilization |
| Intermittent Streams, Buffers | Existing | Clearer definition. Specifically excludes human-created drainage systems. Updated standards for relocation |

Background and Context of the Proposed Regulations

The proposed modifications to the Regulations draw on the research work of prior Planning Commission efforts, the 2016 Comprehensive Plan, and several studies undertaken by the community in recent years, including the 2015 Open Space Plan, the 2020 Habitat Block and Assessment and Ranking, and the 2020 Interim Zoning Open Space Committee Final Report, among others.

Standards and geographic boundaries established by these Regulations were developed based on mapping, research, and consultations with subject area experts. Habitat Blocks and Habitat Connectors included in the proposed Regulation used the 2020 Habitat Block Assessment and Ranking as their starting point. Geographic boundaries, thresholds, standards for allowed modifications or incursions were subsequently established.

These draft amendments are proposed to function as one of a collection of tools to support natural resource conservation and thoughtful development in the community in support of the Comprehensive Plan.

Findings Concerning the Proposed Amendments

The proposed amendments have been reviewed by the Planning Commission in the context of the text, goals, and objectives of the City of South Burlington’s Comprehensive Plan, adopted February 1, 2016. The Commission has addressed the following as enumerated under 24 VSA 4441(c):

“...The report shall provide a brief explanation of the proposed bylaw, amendment, or repeal and shall include a statement of purpose as required for notice under section 4444 of this title, and shall include findings regarding how the proposal:

1. *Conforms with or furthers the goals and policies contained in the municipal plan, including the effect of the proposal on the availability of safe and affordable housing.*
2. *Is compatible with the proposed future land uses and densities of the municipal plan.*

The 2016 Comprehensive Plan establishes four (4) principal Goals for the City:

Vision & Goals. Here and into the Future, South Burlington is...

Affordable & Community Strong Creating a robust sense of place and opportunity for our residents and visitors.

- *Be affordable, with housing for people of all incomes, lifestyles, and stages of life;*
- *Keep unique features, and maintain or enhance the quality of life of existing neighborhoods;*

- *Be a recognized leader in public education offerings and outcomes;*
- *Provide quality public safety, infrastructure, health, wellness, and recreation services;*
- *Ensure transparent and accessible government.*

Walkable. Bicycle and pedestrian friendly with safe transportation infrastructure.

- *Develop a safe and efficient transportation system that supports pedestrian, bicycle, and transit options while accommodating the automobile;*
- *Establish a city center with pedestrian-oriented design, mixed uses, and public buildings and civic spaces that act as a focal point to the community.*

Green & Clean. Emphasizing sustainability for long-term viability of a clean and green South Burlington.

- *Promote conservation of identified important natural areas, open spaces, aquatic resources, air quality, arable land and other agricultural resources, historic sites and structures, and recreational assets;*
- *Reduce energy consumption city-wide and increase renewable energy production where appropriate.*

Opportunity Oriented. Being a supportive and engaged member of the larger regional and statewide community.

- *Prioritize development that occurs within the community into the higher intensity areas identified within this Plan;*
- *Support a diverse and vibrant economy built on quality jobs, employment centers and a supportive educational and research system; support markets for local agricultural and food products.*

The 2016 Comprehensive Plan also includes the following objectives and strategies specific to ecological resources in the community:

Ecological Objectives

Objective 30. Proactively plan for a network of interconnected and contiguous open spaces to conserve and accommodate ecological resources, active and passive recreation land, civic spaces, scenic views and vistas, forests and productive farmland and primary agricultural soils.

Objective 31. Conserve, restore and enhance biological diversity within the City, through careful site planning and development that is designed to avoid adverse impacts to critical wildlife resources, and that incorporates significant natural areas, communities and wildlife habitats as conserved open space.

Ecological Strategies

Strategy 67. Substantially restrict new subdivision and development from primary resource conservation areas to include hazardous and environmentally sensitive areas identified, mapped and regulated by the City. Minimize the adverse impacts of new subdivision and development, including resource fragmentation and encroachment, within secondary resource conservation areas, to include those resources of state or local significance as indicated on available resource maps, identified in available inventories and studies, and confirmed through site investigation.

Strategy 68. Redefine open space in new developments such that usable, quality open space shall be required. Qualifying open space should include civic spaces, recreation, wildlife habitat, and usable agricultural lands.

Strategy 69. Retain healthy and high-quality existing trees, vegetation, and publicly owned natural areas and woodlands. Develop long-range management plans for each area to foster their continued health and use.

Strategy 70. Encourage public education about tree functions and tree disease inspection in urban areas through cooperation with the UVM Horticultural Farm and Vermont Department of Forest Parks, and Recreation, Urban and Community Forestry Program.

Strategy 71. Maintain the City’s wildlife diversity, including making use of available planning and legal tools such as buffers, transfers of development rights, overlay zoning districts, conservation easements and other tools as appropriate.

Strategy 72. Work with adjoining municipalities and regional entities to enact complementary land use policies where wildlife habitat areas cross City boundaries.

Strategy 73. Maintain existing overall tree canopy. Set targets to increase overall tree canopy, with a focus on increasing tree canopy in urban areas and residential property parcels as identified in the Report on Existing and Potential Tree Canopy in the City of South Burlington (2014).

Strategy 74. Foster passive recreational use of natural areas and identify areas that may be appropriate for an “off-limits” designation due to their fragile nature.

And finally, the Comprehensive Plan establishes a series of five categories of Future Land Use, as depicted on Map 11, along with the following statement: *“Together, these broad categories are intended to encompass key issues and areas addressed in this Comprehensive Plan and provide an overall framework for implementation of the plan.”*

- *Very low intensity, principally open space.*
- *Lower intensity, principally residential*
- *Medium intensity, residential to mixed use*
- *Medium to higher intensity, principally non-residential*
- *Medium to higher intensity, mixed use*

The proposed Regulations substantively and substantially advance the ecological goals and strategies enumerated in the 2016 Comprehensive Plan, and do so in the context of the overall Vision and Goals for the City and the designations within the Future Land Use Map.

The proposed regulations have been prepared following detailed evaluation of each individual resource as well as their collective and coordinated roles in support of the objectives and strategies above.

The specific resources included within the draft Environmental Protection Standards are not intended to be a precise replication of the individual resources as described or mapped in the Comprehensive Plan; South Burlington-specific study and analysis of these resources, consideration of best practices in resource conservation, and consideration of the geographic context of natural resources across the City were important factors in developing regulatory tools to implement these objectives and strategies.

The amendments have been considered for their impacts on the availability of safe and affordable housing. Establishing restrictions on certain land as priority areas for conservation of natural resources can affect the total land area available for the construction of new housing. The existing and proposed regulations mitigate the effects of this conservation, through several means:

- Existing regulations allow for the re-allocation of allowable housing density within a property through the use of Planned Unit Developments.

- The draft Regulations accommodate circumstances where certain natural resources – notably Habitat Blocks and Habitat Connectors - are present across the substantial majority of the land.
- The draft regulations provide for reduced standards, exemptions, or allowable modifications within areas designated as Medium to Higher Intensity in the Future Land Use Map
- Recent prior amendments to the Land Development Regulations have increased building height allowances along principal transportation corridors, established inclusionary zoning requirements, and reduced or eliminated minimum parking standards
- The proposed regulations are intended to provide greater clarity and certainty for all parties involved in land development

3. *Carries out, as applicable, any specific proposals for any planned community facilities.*

The proposed amendments do not directly affect planned community facilities. Planned Community facilities are specifically addressed through reference to the Official Map.

B. LDR-21-01: Generally, amend or replace existing Subdivision, Master Plan, Planned Unit Development (PUD)], Site Plan, Conservation PUD, Traditional Neighborhood Development PUD, Civic Space Types, Street Types, Building Type, and related zoning district, procedural, and site plan standards

Brief Description of the Proposed Amendment

This amendment replaces several section and Articles of the Land Development Regulations:

- **Subdivision:** Update and re-write of Subdivision Standards & Procedures. Proposed subdivisions identify buildable areas and areas unsuitable for development. Regulated natural resources are identified with larger resources on their own lots. Sets forth design process: streets, blocks, lots. Standards similar to current SEQ standards for connectivity, block scale, lots, as well as designs to support renewable energy. A portion of buildable area must be planned civic space. Streets designed for intended function based on street types. Establishes procedures for modifications.
- **Master Plan:** Proposed replacement of existing Master Plan standards. Intended to closely complement the draft Subdivision and Planned Unit Development Standards and provide a clear, broad-brush picture of the proposed development. The draft standards require a context assessment, demonstration of connectivity of resources and infrastructure, buildout budgets, and the standards to be applied to assure consistency in design. The DRB is authorized to approve a schema or design palate for a project, both of which could vest those elements of the Plan under the Regulations in effect at the time of the Master Plan for a certain number of years, and/or to determine that elements of the project have been shown but are not sufficiently provided so as to vest that element of the project under the current Regulations. The Master Plan is structure to incentivize an applicant to provide detail early. The applicant and City would then be bound by those elements of the project.
- **Planned Unit Development:** Proposed replacement of PUD standards; establishes two PUD “types” for different settings – Traditional Neighborhood Development PUD and Conservation PUD.

The Traditional Neighborhood Development emphasizes a pedestrian-oriented neighborhood with a variation of housing types, mixed uses, and civic spaces. The Conservation PUD establishes a minimum amount of natural resources to be conserved on site and sets neighborhood design standards for the buildable portion. Generally integrates existing SEQ standards into city-wide PUD standards. The proposed bylaw would set a threshold (4 acres) above which a PUD would be required for subdivisions or multiple principal buildings. Building from the subdivision and master plan standards, PUDs establish modified standards for lots, building types, and other lot arrangements, providing flexibility within a range. Further modifications as “alternative compliance” for certain standards are authorized where the applicant demonstrates an equal or better outcomes based on the specific purposes of the PUD.

Within the TND type, maximum density is determined by the allowed Building Types within the PUD and the specific dimensional standards that accompany each type. Minimum density within the TND and Conservation is based on the underlying zoning district or a minimum threshold applicable to the PUD type. Within a Conservation PUD, maximum density is measured based on the underlying zoning district.

- Site Plan: Updates general site plan standards to ensure that cross-references to related standards are included. Revises waiver standards to allow site plan review to stand "on its own" [currently many properties use PUD as a tool to seek waivers from standards]. Sets guidelines for modifications to zoning district standards to the DRB; establishes standards for when adjacent streetscape improvements are needed. Also allows for very minor site changes to be approved via zoning permit only if standards are met.
- Building Types Establishes specific building types for applicability in the Traditional Neighborhood Development Type. Each building type (eg, single family, small multi-family, etc.) includes building characteristics and a permitted range of lot and building dimensional standards. Where applied, these standards replace underlying zoning district requirements.
- Civic Space / Site Amenities: Modifies/Expands Civic Space Types. Civic Space types are applied to meet minimum space allocations in the City Center FBC, PUDs, and Subdivisions, and as an offset for lot coverage bonus allowance in the Urban Design Overlay District.
- Street Types: Replaces street three sets of standards from City Center FBC, Southeast Quadrant, and General with a single set of standards for the cross-sections of allowable street types across the City.
- Table of Uses / Dimension: This amendment updates the Table of Uses to be consistent with the updated PUDs and zoning district amendments. Specifically:
 - Individual uses previously listed as “PUD” in the Table of Uses are changed to be permitted (or conditional). Previously, properties proposing these uses (such as multi-family residential in certain districts) were ONLY allowed as part of a PUD review. PUD review is no longer tied to individual uses. Instead, if the use is allowed, it can be reviewed as a permitted use under site plan review.
 - Adds PUD Types, and any uses specifically enabled by the PUD itself. A PUD type also may include any use that is permitted within the underlying district. However as certain PUD types are intended to become small nodes of activity in our community, PUDs are proposed

to bring with them a handful of *supplemental* allowed uses. This allowance replaces the “limited neighborhood commercial” provision added a few years ago that was crafted as a bridge to the future PUDs.

Findings Concerning the Proposed Amendments

The proposed amendments have been reviewed by the Planning Commission in the context of the text, goals, and objectives of the City of South Burlington’s Comprehensive Plan, adopted February 1, 2016. The Commission has addressed the following as enumerated under 24 VSA 4441(c):

“...The report shall provide a brief explanation of the proposed bylaw, amendment, or repeal and shall include a statement of purpose as required for notice under section 4444 of this title, and shall include findings regarding how the proposal:

1. *Conforms with or furthers the goals and policies contained in the municipal plan, including the effect of the proposal on the availability of safe and affordable housing.*

See above under LDR-20-01 for a listing of the Vision & Goals of the 2016 Comprehensive Plan

The proposed amendments, taken together, are intended to implement the land use pattern envisioned through the 2016 Comprehensive Plan. The updated subdivision and master plan articles provide clear standards and process for the subdivision, phasing, and development of land, integrating standards city-wide that had previously applied in only certain parts of the City and linking together with other related amendments, including the expansion of inclusionary zoning and updated Environmental Protection Standards.

Relevant Comprehensive Plan Objectives & Strategies:

Objective 3. Foster the creation and retention of a housing stock that is balanced in size and target income level, is representative of the needs of households of central Chittenden County, and maintains an efficient use of land for use by future generations.

Objective 4. Support the retention of existing and construction of new affordable and moderate-income housing, emphasizing both smaller single family homes and apartments, to meet demand within the regional housing market.

Objective 5. Build and reinforce diverse, walkable neighborhoods that offer a good quality of life by designing and locating new and renovated housing in a context-sensitive manner that will facilitate development of a high-density, City Center, mixed used transit corridors, and compact residential neighborhoods.

Objective 16: Build and reinforce diverse, accessible neighborhoods that offer a good quality of life by designing and locating new and renovated development in a context-sensitive manner.

Objective 30. Proactively plan for a network of interconnected and contiguous open spaces to conserve and accommodate ecological resources, active and passive recreation land, civic spaces, scenic views and vistas, forests and productive farmland and primary agricultural soils.

Objective 31. Conserve, restore and enhance biological diversity within the City, through careful site planning and development that is designed to avoid adverse impacts to critical wildlife resources, and that incorporates significant natural areas, communities and wildlife habitats as conserved open space.

Objective 39: The majority of all new development will occur within the Shelburne Road, Williston Road, and Kennedy Drive Corridors, and other areas within the Transit service area.

Strategy 4. Implement a variety of tools and programs to foster innovative approaches to preserving and increasing the City's supply of affordable and moderate income housing. Potential tools should be explored and could include form-based codes that would allow a variety of residential and mixed use building types, transferable development rights, neighborhood preservation overlay districts, household definition regulations, inclusionary zoning, bonuses and incentives, waivers and expedited review processes, and/or a housing retention ordinance.

Strategy 5. Increase the supply of safe and affordable rental housing by allowing higher-density, mixed use and mixed-income development within City Center and transit corridors, allowing multiunit housing within transitional zones between residential neighborhoods and commercial/ industrial land uses.

Strategy 7. Accommodate compatible infill and additions to homes in existing neighborhoods.

Strategy 8. Explore innovative land development regulations that allow for a range of residential building and neighborhood types, including but not limited to cottage housing, clustered housing and infill residential development.

Strategy 67. Substantially restrict new subdivision and development from primary resource conservation areas to include hazardous and environmentally sensitive areas identified, mapped and regulated by the City. Minimize the adverse impacts of new subdivision and development, including resource fragmentation and encroachment, within secondary resource conservation areas, to include those resources of state or local significance as indicated on available resource maps, identified in available inventories and studies, and confirmed through site investigation.

Strategy 68. Redefine open space in new developments such that usable, quality open space shall be required. Qualifying open space should include civic spaces, recreation, wildlife habitat, and usable agricultural lands.

Strategy 69. Retain healthy and high-quality existing trees, vegetation, and publicly owned natural areas and woodlands. Develop long-range management plans for each area to foster their continued health and use.

Strategy 71. Maintain the City's wildlife diversity, including making use of available planning and legal tools such as buffers, transfers of development rights, overlay zoning districts, conservation easements and other tools as appropriate.

Strategy 92: Allow phasing on individual projects as needed to ensure that development occur only in conformance with the City's ability to provide services.

Strategy 94: Assure that designated open space areas are consistent with the district (zone) in which they are located and physically and functionally suitable for their intended use.

Strategy 138: Maintain measures in the LDRs and SEQ zoning map to ensure that open spaces in all developments affecting secondary natural areas be designed in a manner to ensure continued connectivity between other open spaces and the preservation of "stepping stone" or other pockets of important wildlife habitat.

Strategy 134: Review the general height limits and explore architectural design review to ensure that the proposed structures are consistent with the vernacular architectural styles and visual quality of the SEQ.

Ongoing Activity 1: Continue to refine the City's Land Development Regulations to promote the Plan's goals and objectives.

Ongoing Activity 15: Continue to encourage and consider incentivizing neighborhoods that use a mix of housing types and integrate different types next to each other, rather than creating monoculture of one type of housing.

Ongoing Activity 18: Continue to implement a complete streets policy that contemplates sidewalks, crosswalks, crossing signals, bicycle paths, and bicycle lanes as appropriate in funding applications for new roads and roadway improvements.

Action Activity 39: Continue to allow a neighborhood commercial center along Dorset Street in the area of the Chittenden Cider Mill.

Ongoing Activity 45: Continue to require an integrated mix of housing in the SEQ zoning district.

And finally, the Comprehensive Plan establishes a series of five categories of Future Land Use, as depicted on Map 11, along with the following statement: *"Together, these broad categories are intended to encompass key issues and areas addressed in this Comprehensive Plan and provide an overall framework for implementation of the plan."*

- *Very low intensity, principally open space.*
- *Lower intensity, principally residential*
- *Medium intensity, residential to mixed use*
- *Medium to higher intensity, principally non-residential*
- *Medium to higher intensity, mixed use*

The proposed Regulations substantively and substantially advance the quality of life, neighborhood, transportation, civic space, phasing, and open space goals and strategies of the 2016 Comprehensive Plan, and do so in the context of the overall Vision and Goals for the City and the designations within the Future Land Use Map.

The proposed amendments advance two types of Planned Unit Developments, Conservation PUD and Traditional Neighborhood PUD. PUDs are optional in some cases and mandatory in others. And specific PUD types are either optional or required based on geography and circumstance. The Planning Commission finds these proposed amendments to be consistent with the Comprehensive Plan, taken together and with close attention to Map 11, Future Land Use, as well as natural resource maps, community utilities and facilities maps, and the remainder of the Plan's maps.

The Proposed amendments will have the affect of altering the location and form of new housing, including affordable housing. Conservation PUDs, where allowed or required, will redistribute housing that would otherwise be permitted via a classic subdivision to a portion of the property. Traditional Neighborhood Development PUDs will redefine housing density based on the building type, which is expected to foster greater diversity of housing types.

See also proposed amendment to extend inclusionary zoning citywide.

2. *Is compatible with the proposed future land uses and densities of the municipal plan.*

The Planning Commission has reviewed the proposed amendments in the context of Map 11, future land use map, maps 7 & 8, primary and secondary natural resources and infrastructure maps, and finds the property changes to be consistent with the future land uses and densities of the Comprehensive Plan.

3. *Carries out, as applicable, any specific proposals for any planned community facilities.*

The proposed amendments clarify the role of the Official Map in subdivision review, provide for greater clarity and prospective planning of development phases through master plan review, and establish a single consistent set of street types for new development in the City.

C. LDR-20-09: Modify planned public rights-of-way along various roads

Brief Description of the Proposed Amendment

Separates required setbacks from the subject of Planned Rights-of-Way (previously required together). Eliminates larger setbacks (50') from most streets and relies on underlying zoning & PUD standards for where homes face. Removes conflict within Southeast Quadrant standards, Urban Design Overlay District standards, and City Center Form Based Code District standards.

Findings Concerning the Proposed Amendments

The proposed amendments have been reviewed by the Planning Commission in the context of the text, goals, and objectives of the City of South Burlington's Comprehensive Plan, adopted February 1, 2016. The Commission has addressed the following as enumerated under 24 VSA 4441(c):

"...The report shall provide a brief explanation of the proposed bylaw, amendment, or repeal and shall include a statement of purpose as required for notice under section 4444 of this title, and shall include findings regarding how the proposal:

1. *Conforms with or furthers the goals and policies contained in the municipal plan, including the effect of the proposal on the availability of safe and affordable housing.*

The amendments are intended to establish consistency throughout the regulations and to foster pedestrian-oriented development.

Objective 5. Build and reinforce diverse, walkable neighborhoods that offer a good quality of life by designing and locating new and renovated housing in a context-sensitive manner that will facilitate development of a high-density, City Center, mixed used transit corridors, and compact residential neighborhoods.

2. *Is compatible with the proposed future land uses and densities of the municipal plan.*

The proposed amendment will allow for space along select collector and arterial road to be built upon where such development patterns are appropriate.

3. *Carries out, as applicable, any specific proposals for any planned community facilities.*

The proposed amendments do not affect and planned community facilities.

D. LDR-21-04: Modify Southeast Quadrant sub-district boundaries including and between Natural Resource Protection, Neighborhood Residential, and Village Residential

Brief Description of the Proposed Amendment

The proposed amendments modify boundaries within the Southeast Quadrant sub-districts; in several instances expand the area of the SEQ-Natural Resources Protection District; and in certain areas expands the SEQ-Village Residential District. Specifically:

- The SEQ-NRP sub-district replaces the SEQ-Neighborhood Residential sub-district in several areas where an identified Habitat Block is mapped and the Habitat Block Overlay District applies
- The SEQ-NRP sub-district replaces the SEQ-Neighborhood Residential sub-district in areas approved as permanent open space in approved development
- The SEQ-NRP sub-district replaces the SEQ-Neighborhood Residential sub-district in areas / parcels that are unserved by public infrastructure and would require crossing of other parcels and/or identified hazards in order to be reached
- The SEQ-NR replaces the SEQ-NRP sub-district where approved development already exists.
- The SEQ-VC district replaces the SEQ-NR district in certain areas served by public infrastructure.

Findings Concerning the Proposed Amendments

The proposed amendments have been reviewed by the Planning Commission in the context of the text, goals, and objectives of the City of South Burlington's Comprehensive Plan, adopted February 1, 2016. The Commission has addressed the following as enumerated under 24 VSA 4441(c):

"...The report shall provide a brief explanation of the proposed bylaw, amendment, or repeal and shall include a statement of purpose as required for notice under section 4444 of this title, and shall include findings regarding how the proposal:

1. *Conforms with or furthers the goals and policies contained in the municipal plan, including the effect of the proposal on the availability of safe and affordable housing.*
2. *Is compatible with the proposed future land uses and densities of the municipal plan.*

The proposed amendments have been closely considered in the context of the Comprehensive Plan and the balance of competing priorities that it strives to achieve. The proposed amendments expand the SEQ-NRP in areas that have been identified in the Plan, and through

subsequent analyses, as important natural resources, as well as in areas that are not served by public infrastructure and would require substantial expansion of such infrastructure to reach. Other areas proximate to infrastructure are proposed to be added to the SEQ-Village Residential District. Relevant goals, objectives, and policies include:

Goal: Be affordable, with housing for people of all incomes, lifestyles, and stages of life;

Goal: Provide quality public safety, infrastructure, health, wellness, and recreation services

Goal: Promote conservation of identified important natural areas, open spaces, aquatic resources, air quality, arable land and other agricultural resources, historic sites and structures, and recreational assets;

Objective 5: Build and reinforce diverse, walkable neighborhoods that offer a good quality of life by designing and locating new and renovated housing in a context-sensitive manner that will facilitate development of a high-density, City Center, mixed-used transit corridors, and compact residential neighborhoods.

Objective 26: Protect and improve watershed, stream, and wetland system natural processes, specifically for stormwater treatment, riparian and aquatic habitat, and floodplain and river corridor protection.

Objective 30: Proactively plan for a network of interconnected and contiguous open spaces to conserve and accommodate ecological resources, active and passive recreation land, civic spaces, scenic views and vistas, forests and productive farmland and primary agricultural soils.

Objective 31: Conserve restore and enhance biological diversity within the City, through careful site planning and development that is designed to avoid adverse impacts to critical wildlife resources, and that incorporates significant natural areas, communities and wildlife habitats as conserved open space.

Strategy 8: Explore innovative land development regulations that allow for a range of residential building and neighborhood types, including but not limited to cottage housing, clustered housing and infill residential development.

Strategy 26: Improve and expand public facilities and services in a manner that supports, complements and reinforces the land use and development recommendations of this plan, which includes a preference for infill over expansion of existing service areas.

Strategy 65: Plan for infrastructure such that its location will limit disturbance within identified primary and secondary natural areas throughout the City to the greatest extent possible.

Strategy 67: Substantially restrict new subdivision and development from primary resource conservation areas to include hazardous and environmentally sensitive areas identified, mapped and regulated by the City. Minimize the adverse impacts of new subdivision and development, including resource fragmentation and encroachment, within secondary resource conservation

areas, to include those resources of state or local significance as indicated on available resource maps, identified in available inventories and studies, and confirmed through site investigation.

Strategy 137: Through the development review process, land conservation initiatives, and development of Zoning Map amendments for the SEQ, work towards the addition of supplemental conserved areas adjacent and connected to existing open space lands.

Ongoing Action 44: Continue to ensure that the open space and buffer area provisions are consistent with the SEQ Concept Plan and lead to the creation of usable, attractive conserved spaces.

Ongoing Action 45: Continue to require an integrated mix of housing in the SEQ zoning district.

Ongoing Action 46: Continue the designation of a three hundred foot buffer around the perimeter of the Great Swamp and Cheese Factory Swamp as an additional primary natural area subject to the same limits on disturbance, development or subdivision.

Ongoing Action 47: Continue the designation of lands within a three hundred foot buffer area around the perimeter of the other Primary Natural Areas, and the lands within Secondary Natural Areas, as a supplemental restricted area with limitations on development, subdivision, and disturbance.

3. *Carries out, as applicable, any specific proposals for any planned community facilities.*

The proposed amendments do not affect any specific proposals for planned community facilities.

E. LDR-21-05: Change zoning of land to the west of Hinesburg Road, immediately south of I-89, from Industrial-Open Space to Residential 7-Neighborhood Commercial.

Brief Description of the Proposed Amendment

The proposed amendment changes the designation of approximately 114 acres of land from “Industrial and Open Space” to “Residential 7-Neighborhood Commercial” on the west side of Hinesburg Road, immediately south of I-89.

Findings Concerning the Proposed Amendments

The proposed amendments have been reviewed by the Planning Commission in the context of the text, goals, and objectives of the City of South Burlington’s Comprehensive Plan, adopted February 1, 2016. The Commission has addressed the following as enumerated under 24 VSA 4441(c):

“...The report shall provide a brief explanation of the proposed bylaw, amendment, or repeal and shall include a statement of purpose as required for notice under section 4444 of this title, and shall include findings regarding how the proposal:

1. *Conforms with or furthers the goals and policies contained in the municipal plan, including the effect of the proposal on the availability of safe and affordable housing.*
2. *Is compatible with the proposed future land uses and densities of the municipal plan.*

The 2016 Comprehensive Plan's Future Land Use Map (Map 11) redesignated this area from planned open space / industrial to instead be a transition from "higher intensity, primarily non-residential", to "medium intensity, mixed use", to "lower intensity, primarily residential", to "very low intensity, primarily conservation" from east to west. With the establishment of a Habitat Blocks on the western portion of the property, the designation of the property as R7-NC, and the application of Planned Unit Developments which foster higher intensity uses adjacent to existing roadways & infrastructure (Hinesburg Road), this amendment furthers the goals and policies of the Comprehensive Plan. The additional allowance for housing in this area furthers the availability of safe and affordable housing.

3. *Carries out, as applicable, any specific proposals for any planned community facilities.*

The proposed amendment does not impact any specific proposals for planned community facilities.

F. LDR-21-06: Modify Commercial 1- Residential 15 and Residential 4 boundaries in vicinity of Lindenwood Dr to more closely following property lines

Brief Description of the Proposed Amendment

This amendment would modify the boundaries of these two districts to align with the property boundaries. A portion of one parcel that is largely in the C1-R15 district and fronts on Shelburne Road would have the entirety of the parcel in that district, while an adjacent parcel fronting on a neighborhood street that is largely in the R4 district would have the entirety of its parcels become R4.

Findings Concerning the Proposed Amendments

The proposed amendments have been reviewed by the Planning Commission in the context of the text, goals, and objectives of the City of South Burlington's Comprehensive Plan, adopted February 1, 2016. The Commission has addressed the following as enumerated under 24 VSA 4441(c):

"...The report shall provide a brief explanation of the proposed bylaw, amendment, or repeal and shall include a statement of purpose as required for notice under section 4444 of this title, and shall include findings regarding how the proposal:

1. *Conforms with or furthers the goals and policies contained in the municipal plan, including the effect of the proposal on the availability of safe and affordable housing.*

The Commission finds the proposed amendments to be consistent with the goals and policies of the Comprehensive Plan and notes that the regulations also contain requirements for vegetated buffers between commercial and residential districts in the event of a significant development of a parcel.

2. *Is compatible with the proposed future land uses and densities of the municipal plan.*

The Planning Commission finds the proposed amendment to be compatible with the proposed future land uses and densities of the Comprehensive Plan.

3. *Carries out, as applicable, any specific proposals for any planned community facilities.*

The Planning Commission finds the proposed amendment will not have any impact on planned community facilities.

G. LDR-21-07: Update citywide stormwater standards, including for consistency with state regulations

Brief Description of the Proposed Amendment

These amendments update the City's stormwater standards for consistency with the recently-updated Vermont Stormwater Manual, provide additional clarity, and employ general best practices.

Findings Concerning the Proposed Amendments

The proposed amendments have been reviewed by the Planning Commission in the context of the text, goals, and objectives of the City of South Burlington's Comprehensive Plan, adopted February 1, 2016. The Commission has addressed the following as enumerated under 24 VSA 4441(c):

"...The report shall provide a brief explanation of the proposed bylaw, amendment, or repeal and shall include a statement of purpose as required for notice under section 4444 of this title, and shall include findings regarding how the proposal:

1. *Conforms with or furthers the goals and policies contained in the municipal plan, including the effect of the proposal on the availability of safe and affordable housing.*

Comprehensive Plan Goal: Green & Clean. Emphasizing sustainability for long-term viability of a clean and green South Burlington.

Objective 26. Protect and improve watershed, stream, and wetland system natural processes, specifically for stormwater treatment, riparian and aquatic habitat, and floodplain and river corridor protection.

The amendments further the goals and policies of the Comprehensive Plan and support long term safety and affordability of housing through employment of forward-looking stormwater practices from the start.

2. *Is compatible with the proposed future land uses and densities of the municipal plan.*

The proposed amendments are not anticipated to affect proposed future land uses or densities.

3. *Carries out, as applicable, any specific proposals for any planned community facilities.*

The proposed amendments facilitate the construction of stormwater facilities in existing built-up areas.

H. LDR-20-10: Establish maximum building envelopes for allowed development in the SEQ-NRP subdistrict, modify allowed building types

Brief Description of the Proposed Amendment

The proposed amendment establishes a maximum building envelope for any allowed development in the SEQ-NRP district; allows homes to be in buildings containing up to three dwellings (current requirement is for single family homes only), but does not change allowable total dwelling units.

Findings Concerning the Proposed Amendments

The proposed amendments have been reviewed by the Planning Commission in the context of the text, goals, and objectives of the City of South Burlington's Comprehensive Plan, adopted February 1, 2016. The Commission has addressed the following as enumerated under 24 VSA 4441(c):

"...The report shall provide a brief explanation of the proposed bylaw, amendment, or repeal and shall include a statement of purpose as required for notice under section 4444 of this title, and shall include findings regarding how the proposal:

1. *Conforms with or furthers the goals and policies contained in the municipal plan, including the effect of the proposal on the availability of safe and affordable housing.*

The Commission finds that the proposed amendment fosters a greater compliance with the goals and policies of the comprehensive plan by assuring that any allowed development is compact.

Objective 31. Conserve, restore and enhance biological diversity within the City, through careful site planning and development that is designed to avoid adverse impacts to critical wildlife resources, and that incorporates significant natural areas, communities and wildlife habitats as conserved open space.

2. *Is compatible with the proposed future land uses and densities of the municipal plan.*

The Planning Commission finds the proposed amendment to be compatible with the proposed future land uses and densities of the Comprehensive Plan.

3. *Carries out, as applicable, any specific proposals for any planned community facilities.*

The Planning Commission finds the proposed amendment will not have any impact on planned community facilities.

I. LDR-20-17: Extend southeast quadrant zoning district residential building design standard city-wide, update standards

Brief Description of the Proposed Amendment

This amendment expands the applicability of basic residential design standards to residential development in the city which are *not* subject to Building Type standards under the TND or NCD PUD Type. This would include homes on existing lots, homes built on subdivided lots without a PUD, and homes built through Conservation Planned Unit Developments. The current standards apply to all development involving a subdivision or PUD in the Southeast Quadrant. The standards themselves would:

- Continue to require that buildings are designed with a focus on sun-facing windows, but replace the minimum percentage of all windows facing south with a design standard of orientation of living space;
- Continue to require front-facing garages to be set back from the principal façade of the building
- Establish a maximum of 40% of the front of the building to be garage doors. This replaces a minimum “non-garage” façade requirement for two-family homes.
- Continue to require a variety of styles of homes in subdivisions.

Findings Concerning the Proposed Amendments

The proposed amendments have been reviewed by the Planning Commission in the context of the text, goals, and objectives of the City of South Burlington’s Comprehensive Plan, adopted February 1, 2016. The Commission has addressed the following as enumerated under 24 VSA 4441(c):

“...The report shall provide a brief explanation of the proposed bylaw, amendment, or repeal and shall include a statement of purpose as required for notice under section 4444 of this title, and shall include findings regarding how the proposal:

- 1. Conforms with or furthers the goals and policies contained in the municipal plan, including the effect of the proposal on the availability of safe and affordable housing.*

The amendments are intended to establish consistency throughout the regulations and to foster pedestrian-oriented development.

Objective 5. Build and reinforce diverse, walkable neighborhoods that offer a good quality of life by designing and locating new and renovated housing in a context-sensitive manner that will facilitate development of a high-density, City Center, mixed used transit corridors, and compact residential neighborhoods.

The proposed amendments will support the availability of safe and affordable housing by promoting passive solar access and supporting pedestrian-oriented neighborhoods.

2. *Is compatible with the proposed future land uses and densities of the municipal plan.*

The Planning Commission finds the proposed amendment to be compatible with the proposed future land uses and densities of the Comprehensive Plan.

3. *Carries out, as applicable, any specific proposals for any planned community facilities.*

The Planning Commission finds the proposed amendment will not have any impact on planned community facilities.

J. LDR-21-01 Require Solar-Ready Roofs for new buildings subject to Commercial Building Energy Standards

Brief Description of the Proposed Amendment

The amendment would require solar-ready roofs on new/substantially altered Commercial Buildings, via the specific methodology of the Commercial Building Energy Standards (CBES). Those standards include specific exemptions based on siting, etc.

Findings Concerning the Proposed Amendments

The proposed amendments have been reviewed by the Planning Commission in the context of the text, goals, and objectives of the City of South Burlington's Comprehensive Plan, adopted February 1, 2016. The Commission has addressed the following as enumerated under 24 VSA 4441(c):

"...The report shall provide a brief explanation of the proposed bylaw, amendment, or repeal and shall include a statement of purpose as required for notice under section 4444 of this title, and shall include findings regarding how the proposal:

1. *Conforms with or furthers the goals and policies contained in the municipal plan, including the effect of the proposal on the availability of safe and affordable housing.*

The Commission finds the proposed amendment implements the goals and policies of the Comprehensive Plan, including the following, and have a neutral, or positive effect on the availability of safe and affordable housing where a building would qualify as a "commercial building" under the CBES.

Objective 23. Achieve a reduction of 20% in carbon dioxide-equivalent emissions from 2009 levels by 2020 through an increase in renewable energy production and reductions in energy use in the following sectors: transportation, commercial/industrial, residential, municipal/school.

Strategy 54. Promote energy efficiency through well-designed buildings, siting and landscaping, and

encourage increased demand side management programs and the use of site-specific renewable energy resources.

Strategy 60. Seek opportunities to develop photovoltaic electric production on City and school grounds and building rooftops, where not in conflict with other goals of this plan.

2. *Is compatible with the proposed future land uses and densities of the municipal plan.*

The Planning Commission finds the proposed amendment to be compatible with the proposed future land uses and densities of the Comprehensive Plan.

3. *Carries out, as applicable, any specific proposals for any planned community facilities.*

The Planning Commission finds the proposed amendment will not have any impact on planned community facilities.

K. LDR-19-07 Modify landscape requirements to allow for Solar Canopies in Parking Areas

Brief Description of the Proposed Amendment

Modifies parking lot landscape standards to allow and foster the installation of solar canopies over parking lot areas.

Findings Concerning the Proposed Amendments

The proposed amendments have been reviewed by the Planning Commission in the context of the text, goals, and objectives of the City of South Burlington's Comprehensive Plan, adopted February 1, 2016. The Commission has addressed the following as enumerated under 24 VSA 4441(c):

"...The report shall provide a brief explanation of the proposed bylaw, amendment, or repeal and shall include a statement of purpose as required for notice under section 4444 of this title, and shall include findings regarding how the proposal:

1. *Conforms with or furthers the goals and policies contained in the municipal plan, including the effect of the proposal on the availability of safe and affordable housing.*

The Commission finds the proposed amendment implements the goals and policies of the Comprehensive Plan, including the following, and have a neutral effect on the availability of safe and affordable housing.

Objective 23. Achieve a reduction of 20% in carbon dioxide-equivalent emissions from 2009 levels by 2020 through an increase in renewable energy production and reductions in energy use in the following sectors: transportation, commercial/industrial, residential, municipal/school.

Strategy 54. Promote energy efficiency through well-designed buildings, siting and landscaping, and encourage increased demand side management programs and the use of site-specific renewable energy resources.

2. *Is compatible with the proposed future land uses and densities of the municipal plan.*

The Planning Commission finds the proposed amendment to be compatible with the proposed future land uses and densities of the Comprehensive Plan.

3. *Carries out, as applicable, any specific proposals for any planned community facilities.*

The Planning Commission finds the proposed amendment will not have any impact on planned community facilities.

L. *LDR-20-22: Update to comply with Act 179 pertaining to accessory dwelling units, existing small lots, and conditional use criteria for multi-family housing*

Brief Description of the Proposed Amendment

This amendment updates the City's standards for accessory dwelling units, existing small lots, and conditional use review of multi-family dwellings to comply with recently-passed minimum requirements for municipalities. The amendments also provide standards for accessory dwelling units that are proposed to be nearer to a side or rear property line than would be allowed for a single family home.

Findings Concerning the Proposed Amendments

The proposed amendments have been reviewed by the Planning Commission in the context of the text, goals, and objectives of the City of South Burlington's Comprehensive Plan, adopted February 1, 2016. The Commission has addressed the following as enumerated under 24 VSA 4441(c):

"...The report shall provide a brief explanation of the proposed bylaw, amendment, or repeal and shall include a statement of purpose as required for notice under section 4444 of this title, and shall include findings regarding how the proposal:

1. *Conforms with or furthers the goals and policies contained in the municipal plan, including the effect of the proposal on the availability of safe and affordable housing.*

The proposed amendments comply with, and exceed the minimums established by the recently-passed state legislation. These are also supported in the Comprehensive Plan:

Strategy 6. Promote the preservation of existing housing stock in residential neighborhoods, particularly the supply of affordable and moderately-priced homes.

Strategy 7. Accommodate compatible infill and additions to homes in existing neighborhoods.

Strategy 8. Explore innovative land development regulations that allow for a range of residential building and neighborhood types, including but not limited to cottage housing, clustered housing and infill residential development.

The amendments specifically enhance the availability of safe and affordable housing.

2. *Is compatible with the proposed future land uses and densities of the municipal plan.*

The Commission finds the amendments are compatible with the proposed future land uses and densities of the Comprehensive Plan and State statutes.

3. *Carries out, as applicable, any specific proposals for any planned community facilities.*

The proposed amendments do not affect specific proposals for planned community facilities.

M. LDR-20-25: Increase s.f. maximum specific to accessory structures and update for consistency with Act 179

Brief Description of the Proposed Amendment

The proposed amendments would expand the maximum allowable size of accessory structures on a site from 50% of the footprint of the principal dwelling, to 200% of the footprint, so long as the overall building and low coverage maximum are adhered to. The amendments also separate “accessory structures” from “accessory dwelling units”, which may or may not in fact be within an accessory structure.

Findings Concerning the Proposed Amendments

The proposed amendments have been reviewed by the Planning Commission in the context of the text, goals, and objectives of the City of South Burlington’s Comprehensive Plan, adopted February 1, 2016. The Commission has addressed the following as enumerated under 24 VSA 4441(c):

“...The report shall provide a brief explanation of the proposed bylaw, amendment, or repeal and shall include a statement of purpose as required for notice under section 4444 of this title, and shall include findings regarding how the proposal:

1. *Conforms with or furthers the goals and policies contained in the municipal plan, including the effect of the proposal on the availability of safe and affordable housing.*

The current regulations require that a small home have proportionately less space for accessory structures, in many cases precluding minor additions even though the property is nowhere near its maximum building or lot coverage. The proposed amendment improves this relationship by allowing a greater amount of accessory structure space, while retaining the overall cap on building and lot coverage. The 2016 Comprehensive Plan supports such amendments:

Strategy 7. Accommodate compatible infill and additions to homes in existing neighborhoods.

The proposed amendment has no significant impact on the availability of safe and affordable housing.

2. *Is compatible with the proposed future land uses and densities of the municipal plan.*

The Planning Commission finds the proposed amendment to be compatible with the proposed future land uses and densities of the Comprehensive Plan.

3. *Carries out, as applicable, any specific proposals for any planned community facilities.*

The Planning Commission finds the proposed amendment will not have any impact on planned community facilities.

N. LDR-20-28: Expand inclusionary zoning, offset, and bonus provisions city-wide, replacing existing bonus standards where existing

Brief Description of the Proposed Amendment

The proposed amendment would extend the Inclusionary Zoning provisions to apply to all geographies of the city that allow for residential uses. As a result, the “affordable housing density bonus” provision, which presently applies to all residential areas *not* subject to Inclusionary Zoning, becomes superfluous and is therefore removed.

Findings Concerning the Proposed Amendments

The proposed amendments have been reviewed by the Planning Commission in the context of the text, goals, and objectives of the City of South Burlington’s Comprehensive Plan, adopted February 1, 2016. The Commission has addressed the following as enumerated under 24 VSA 4441(c):

“...The report shall provide a brief explanation of the proposed bylaw, amendment, or repeal and shall include a statement of purpose as required for notice under section 4444 of this title, and shall include findings regarding how the proposal:

1. *Conforms with or furthers the goals and policies contained in the municipal plan, including the effect of the proposal on the availability of safe and affordable housing.*

The Comprehensive Plan places and emphasis on fostering an inclusive community meeting the needs of all household types. Furthermore, the Plan strives for a greater portion of new housing to be affordable.

Comprehensive Plan Goal: Be affordable, with housing for people of all incomes, lifestyles, and stages of life;

Objective 3. Foster the creation and retention of a housing stock that is balanced in size and target income level, is representative of the needs of households of central Chittenden County, and maintains an efficient use of land for use by future generations.

Objective 4. Support the retention of existing and construction of new affordable and moderate-income housing, emphasizing both smaller single family homes and apartments, to meet demand within the regional housing market.

Objective 5. Build and reinforce diverse, walkable neighborhoods that offer a good quality of life by designing and locating new and renovated housing in a context-sensitive manner that will facilitate development of a high-density, City Center, mixed use transit corridors, and compact residential neighborhoods.

Strategy 4. Implement a variety of tools and programs to foster innovative approaches to preserving and increasing the City's supply of affordable and moderate income housing. Potential tools should be explored and could include form-based codes that would allow a variety of residential and mixed use building types, transferable development rights, neighborhood preservation overlay districts, household definition regulations, inclusionary zoning, bonuses and incentives, waivers and expedited review processes, and/or a housing retention ordinance.

Strategy 13. Target for construction, by 2025, of 1,080 new affordable housing units - 840 housing units affordable to households earning up to 80% of the AMI and 240 housing units affordable to households earning between 80% and 120% of the AMI.

2. *Is compatible with the proposed future land uses and densities of the municipal plan.*

The proposed amendments do not change the overall maximum densities of development or future land uses; they re-organize the existing bonus provisions into a required inclusionary minimum amount, offsets, and additional bonuses.

3. *Carries out, as applicable, any specific proposals for any planned community facilities.*

The proposed amendments do not affect planned community facilities.

O. LDR-21-03: Allow for “limited neighborhood commercial use” within a larger residential building for neighborhoods with Master Plan

Brief Description of the Proposed Amendment

The proposed amendment would allow a “limited neighborhood commercial use” to be sited *within* a residential building in higher density zoning districts and continue to require them to be in a small, separate building in lower density residential districts.

Findings Concerning the Proposed Amendments

The proposed amendments have been reviewed by the Planning Commission in the context of the text, goals, and objectives of the City of South Burlington’s Comprehensive Plan, adopted February 1, 2016. The Commission has addressed the following as enumerated under 24 VSA 4441(c):

“...The report shall provide a brief explanation of the proposed bylaw, amendment, or repeal and shall include a statement of purpose as required for notice under section 4444 of this title, and shall include findings regarding how the proposal:

1. *Conforms with or furthers the goals and policies contained in the municipal plan, including the effect of the proposal on the availability of safe and affordable housing.*

The proposed amendment supports the establishment of neighborhood-oriented commercial uses within a short walking distance of neighborhoods and recognizes that the scale buildings of in higher density areas warrants an adjustment of the arrangement of the uses. The Comprehensive Plan encourages these environments:

Objective 5. Build and reinforce diverse, walkable neighborhoods that offer a good quality of life by designing and locating new and renovated housing in a context-sensitive manner that will facilitate development of a high-density, City Center, mixed used transit corridors, and compact residential neighborhoods

The amendments support the availability of safe and affordable housing by reducing vehicle dependence.

2. *Is compatible with the proposed future land uses and densities of the municipal plan.*

The Planning Commission finds the proposed amendment to be compatible with the proposed future land uses and densities of the Comprehensive Plan.

3. *Carries out, as applicable, any specific proposals for any planned community facilities.*

The Planning Commission finds the proposed amendment will not have any impact on planned community facilities.

P. LDR-21-07: Exempt the conversion of a dwelling to a licensed child care facility from housing preservation requirements

Brief Description of the Proposed Amendment

The proposed amendment allow the conservation of a dwelling unit to a child care facility without having to construct a new dwelling unit and without having to pay an “in-lieu” fee.

Findings Concerning the Proposed Amendments

The proposed amendments have been reviewed by the Planning Commission in the context of the text, goals, and objectives of the City of South Burlington’s Comprehensive Plan, adopted February 1, 2016. The Commission has addressed the following as enumerated under 24 VSA 4441(c):

“...The report shall provide a brief explanation of the proposed bylaw, amendment, or repeal and shall include a statement of purpose as required for notice under section 4444 of this title, and shall include findings regarding how the proposal:

1. *Conforms with or furthers the goals and policies contained in the municipal plan, including the effect of the proposal on the availability of safe and affordable housing.*

The State’s Municipal and Regional Planning And Development statutes contain 17 planning goals that municipal and regional plans must address and be consistent with. Among them:

24 VSA 4302(c)(13): To ensure the availability of safe and affordable child care and to integrate child care issues into the planning process, including child care financing, infrastructure, business assistance for child care providers, and child care work force development.

At the local level, the Comprehensive Plan states the following:

The provision of safe, local, and accessible childcare and pre-school is a vital element in attracting families to South Burlington. As such, the City endeavors to ensure that high-quality and affordable childcare is available within its borders. The policy of the City shall be to undertake actions to assist in this provision. (Comprehensive Plan P. 2-30)

The proposed amendment will have a limited effect on the availability of housing, in that a conversion from a dwelling unit to a child care facility would not require replacement or payment into the affordable housing fund. However, the provision of child care is recognized as a critical need statewide and is directly tied to the ability of families to maintain employment and retain their housing. On balance the Planning Commission finds the overall objectives of affordability and community are enhanced by this proposed amendment.

2. *Is compatible with the proposed future land uses and densities of the municipal plan.*

The Planning Commission finds the proposed amendment to be compatible with the proposed future land uses and densities of the Comprehensive Plan.

3. *Carries out, as applicable, any specific proposals for any planned community facilities.*

The Planning Commission finds the proposed amendment will not have any impact on planned community facilities.

Q. LDR-20-21 Minor and technical amendments to include:

- Modify retaining wall standards (Section 13.16, formerly 13.25);
- Eliminate DRB review of Bus Shelters within city ROW (Section 13.9);
- Modify parking lot landscape standards to allow for solar canopies (Section 13.04)
- Amend RV Parking standards (Section 3.08);
- Amend Traffic visibility standards for consistency (Section 3.06);
- Update Airport Approach Cones & FAA review (Sections 3.07, 6.02, 6.03, 13.03);
- Amend review standards of Earth Products (Section 13.17);
- Amend review standards for Utility Cabinets and Similar (Section 13.18);
- Re-organize standards for drive-throughs (Section 5.01, 5.02, 13.11, Table C-1);
- Update & clarify height of Accessory Structure (Section 3.07);
- Update additional Height Standards for consistency (Section 3.07);
- Modify standards for structures requiring setbacks (Section 3.06(F));
- Modify setbacks for pre-existing lots (Section 3.06(J));

- Update setbacks and Buffer Strips Adjacent to Residential Districts for consistency (Section 3.06(l));
- General re-organization, definitions updates, and corrections (throughout)

Brief Description of the Proposed Amendment

The amendments listed above represent minor adjustments to the regulations that promote consistency in approach, policy, and organization within the Land Development Regulations.

Findings Concerning the Proposed Amendments

The proposed amendments have been reviewed by the Planning Commission in the context of the text, goals, and objectives of the City of South Burlington's Comprehensive Plan, adopted February 1, 2016. The Commission has addressed the following as enumerated under 24 VSA 4441(c):

"...The report shall provide a brief explanation of the proposed bylaw, amendment, or repeal and shall include a statement of purpose as required for notice under section 4444 of this title, and shall include findings regarding how the proposal:

1. *Conforms with or furthers the goals and policies contained in the municipal plan, including the effect of the proposal on the availability of safe and affordable housing.*

The Comprehensive Plan supports consistency and streamlining of regulations.

Strategy 15. Conduct a comprehensive analysis of City regulations relating to permitting with an eye toward ways to eliminate outdated or duplicative requirements and to further streamline the process of obtaining needed permits with a specific focus on improving predictability of the process. Move as much of the permitting process online as is viable to improve customer access and service.

2. *Is compatible with the proposed future land uses and densities of the municipal plan.*

The Planning Commission finds the proposed amendment to be compatible with the proposed future land uses and densities of the Comprehensive Plan.

3. *Carries out, as applicable, any specific proposals for any planned community facilities.*

The Planning Commission finds the proposed amendment will not have any impact on planned community facilities.