

Department of Planning and Zoning

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TO: Planning Commission Ordinance Committee
FROM: Scott Gustin
DATE: June 2, 2016
RE: Article 2: Part 7; new Sec. 2.7.8, *Withhold Permit*

At its's May 17, 2016 meeting, the Ordinance Committee considered an array of "clean hands" examples from other municipalities. The Committee voted to pursue a targeted version of "clean hands" along the lines of Hartford, Connecticut's present standards. Avoidance of the term "clean hands" was suggested. Below, reference is simply made to "withhold permit." Rather than extending to compliance by a property owner generally across multiple properties and multiple city bylaws, the proposed amendment focuses on zoning compliance on a particular property.

The purpose of this proposed amendment is to create additional incentive to correct outstanding zoning violations and to prompt action to close out expired zoning permits in need of certificates of occupancy. The mechanics are simple: Properties with outstanding zoning violations or open and expired zoning permits may not receive new zoning permits until those items are addressed.

Proposed CDO Language:

PART 7. ENFORCEMENT

Sec.'s 2.7.1 – 2.7.7

As written.

Sec. 2.7.8 Withhold Permit

The administrative officer is authorized to deny or withhold all zoning permits or certificates of occupancy for any property upon which there is an uncorrected zoning violation for which a municipal compliant ticket or notice of zoning violation has been issued or has an expired zoning permit without a final certificate of occupancy.

Instead of withholding or denying a zoning permit, the administrative officer may grant such permit subject to the condition that the uncorrected zoning violation is corrected or the expired zoning permit is closed out with a final certificate of occupancy.

Sec.'s 2.7.9 – 2.7.12

As written, but renumbered to adjust for new Sec. 2.7.8 above.