

Department of Permitting & Inspections

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ZONING ADMINISTRATIVE INTERPRETATION
ZAI 22-01 Accessory Dwelling Units – Impact Fees

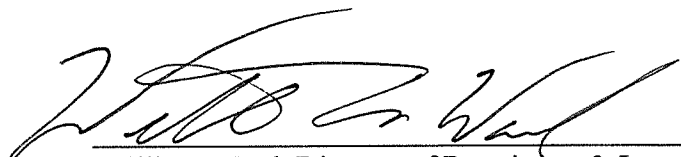
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| <u>Reference:</u> | <i>Burlington Comprehensive Development Ordinance, Sec. 3.3.2, Applicability, Sec. 5.4.5, Accessory Dwelling Units, and Article 13, Definitions</i> |
| <u>Date:</u> | December 3, 2021 |

Pursuant to the authority granted to the City’s Zoning Administrative Officer under 24 V.S.A. Section 4448, and Article 3, Part 1 of the *Burlington Comprehensive Development Ordinance*, the following administrative interpretation is intended to ensure consistency and clarity in the interpretation and application of the *Burlington Comprehensive Development Ordinance*. Pursuant to Sec. 2.3.5 of the *Burlington Comprehensive Development Ordinance* any decision or act taken by the administrative officer may be appealed to the Development Review Board as specified under the requirements of Article 12.

The following interpretation is to be used regarding the applicability of the *Burlington Comprehensive Development Ordinance* relative the applicability of impact fees for accessory dwelling units.

This interpretation shall apply for zoning permitting and enforcement purposes only.

Accessory dwelling units are exclusively accessory to detached single dwelling units. Sec. 5.4.5 specifies that accessory dwelling units are not counted as dwelling units for the purposes of density calculation. As a result, creation of an accessory dwelling unit, even one that entails new construction, does not require payment of impact fees per the standards of Sec. 3.3.2.



William Ward, Director of Permitting & Inspections