

**Department of Permitting & Inspections**

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**ZONING ADMINISTRATIVE INTERPRETATION**  
**ZAI 22-02 Housing Replacement**

<b>Reference:</b>	<i>Burlington Comprehensive Development Ordinance, Sec. 9.2.2, Applicability and Sec. 5.4.5, Accessory Dwelling Units</i>
<b>Date:</b>	December 3, 2021

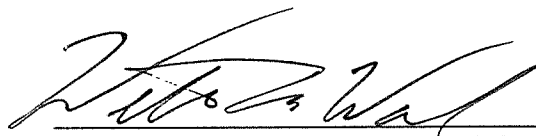
Pursuant to the authority granted to the City’s Zoning Administrative Officer under 24 V.S.A. Section 4448; and Article 3, Part 1 of the *Burlington Comprehensive Development Ordinance*, the following administrative interpretation is intended to ensure consistency and clarity in the interpretation and 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 to the standards of housing replacement.

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

Per Sec. 9.2.2, housing replacement is applicable to the loss, demolition, or conversion to a nonresidential use of any housing unit in the city, except as specifically exempted under Sec. 9.2.10. This includes combination of existing dwelling units within buildings (i.e. such as triplex to duplex), unless specifically exempted under Sec. 9.2.10.

Per Sec. 5.4.5, accessory dwelling units are not counted as dwelling units for the purposes of density calculation, and they are exclusively accessory to detached single dwelling units. The standards of Sec. 9.2.2 do not apply if an accessory dwelling unit is discontinued.

  
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William Ward, Director of Permitting & Inspections