

CODE MOCKUP 3

1-Column format

Alternate sans serif font

11 pt font size

Full-justified text

Numbering Format:

3.0, 3.1, 3.2 = Section numbers

3.2.1, 3.2.2, 3.2.3 (creates extra Subsection titles)

A, B, C

Navigation Features:

No Table of Contents at start of each Article

Color header text shows current Article number, Article name, and Section

Bolded text for Subsection titles

Black and white/greyscale

ARTICLE 3 PERMITS AND APPROVALS

3.1 Zoning Permits

3.1.1 Applicability

- A. A zoning permit must be issued by the ZA prior to any land development unless the activity falls under exemptions from land development under Section 3.1(J) below.
- B. When an application for a zoning permit seeks approval of a structure, the ZA shall provide the applicant with a copy of the applicable building energy standards under 21 V.S.A. §266 (residential building energy standards) and §268 (commercial building energy standards). However, the ZA need not provide a copy of the standards if the applicant certifies that the structure will not be heated or cooled. The ZA may provide a copy of the Vermont Residential Building Energy Code Book published by the Department of Public Service or a web link to the code book in lieu of the full text of the residential building energy standards..

3.1.2 Prior and/or Additional Approvals Necessary

- A. All required approvals from the Development Review Board (conditional use review, site plan review, subdivision review, variance, PUD, etc.) shall be obtained before the Zoning Administrator may issue a zoning permit.

3.1.3 Application

- A. Any application for a zoning permit shall, at the expense of the applicant, show that the proposal conforms to all provisions of these Regulations and contain a plan that shall show the following information in sufficient detail to determine whether the proposal is in conformance with these Regulations:
 - 1. The dimensions of the lot, including property boundaries;
 - 2. The location, size, shape, and height of existing and proposed buildings and structures;
 - 3. The location of existing and proposed easements, rights-of-way, sidewalks, and utilities;
 - 4. The location of natural features such as watercourses, wetlands, floodplains, rock outcroppings, and stands of trees;
 - 5. The setbacks from property boundaries, rights-of-way, surface waters, and wetlands; and
 - 6. Any other information that may be needed to determine compliance with these Regulations.

An application is not complete unless all necessary information is provided and any fee, if applicable, is paid. The ZA is responsible for making the determination that an application is complete. If the ZA fails to act with regard to a complete application for a zoning permit within 30 days of the date a complete application is received, a permit will be deemed issued on the 31st day. 24 V.S.A. § 4448(d).

3.1.4 Effective Dates

- A. A zoning permit will not take effect until 15 days after issuance by the ZA, or, in the event that a notice of appeal is properly filed, such permit will not take effect until final adjudication of the appeal and the time for taking an appeal to the Environmental Division has passed without an appeal being taken. Each zoning permit issued will contain a statement

of the period of time within which an appeal may be filed.

3.1.5 Procedures After Issuance

- A. Within three business days following the issuance of a zoning permit, the ZA shall:
1. Deliver a copy of the permit to the Assessor; and
 2. Post a copy of the permit in at least one public place in the Town until the expiration of 15 days from the date of the issuance of the permit; and
 3. Upon receiving a zoning permit, the applicant shall post a notice of the zoning permit on a form prescribed by the ZA within view from the public right-of-way most nearly adjacent to the subject property until the expiration of 15 days from the date of the issuance of the permit.

3.1.6 Impact Fee

- A. No zoning permit for land development which is subject to payment of an impact fee pursuant to any impact fee ordinance in effect will be issued until all applicable impact fees, as established by the Town of Georgia Selectboard, are paid to the Town of Georgia and the Georgia School District.

3.1.7 Permit Expiration and Extension

- A. Expiration. Zoning permits shall expire one year from the date of issue unless extended as described in these Regulations.
- B. Extension. An extension of a zoning permit approval for principal structures and principal uses for one year may be granted by the ZA if substantial construction (if application is for a structure) or due diligence (if application is for a use) is evident, provided a written request for extension is submitted prior to expiration of the permit. Zoning permits for accessory structures shall not be extended beyond the original one-year permit period. Substantial construction shall be established by the installation of at least all footings and foundation walls and/or slab, installation of the septic system (which shall have been inspected and approved), and installation of the driveway (in accordance with a valid Right-of-Way permit). A second extension shall not be granted.
- C. An extension of a zoning permit granted for a structure shall not be required if construction has progressed to the point where the structure can reasonably be used for its intended purpose. At a minimum, the structure shall have functional water and wastewater services, an operational heating system, and electricity, and shall be sufficiently closed in (roof, windows, and doors) to provide protection from the elements.
- D. Commercial uses in the I-1, I-2, SV or B district. If the DRB has granted an extended permit expiration date under conditional use or site plan review approval, that expiration date shall also apply to any building permits required as part of the approved development.
- E. Access to Property. The ZA shall be allowed reasonable access to private or public property for the purpose of inspecting and investigating conditions relating to any zoning permit or application for a zoning permit. An application for a zoning permit may be denied if reasonable access is not provided.

3.1.8 Certificate of Occupancy

- A. Application. It shall be unlawful to use or occupy or permit the use or occupancy of any land or structure or part thereof which requires a zoning permit under these Regulations until a Certificate of Occupancy is issued therefor by the ZA, stating that the proposed use of the structure or land conforms to these Regulations. Provision of a certificate as required by 30 V.S.A. § 51 (residential building energy standards) or 53 (commercial building energy standards) shall also be a condition precedent to the issuance of any Certificate of Occupancy.
1. An application for a Certificate of Occupancy shall be on the form prescribed by the ZA along with any required fee. The application shall contain a statement under oath by the permit holder certifying compliance with these Regulations and all conditions imposed by Town boards, and shall, at applicant's expense, be accompanied by such supporting documentation as the ZA may reasonably require. Such documentation may include written statements under oath by tenants, contractors, or appropriate licensed professionals.

3.1.9 Exemptions

- A. The following types of land development are specifically exempt from municipal permitting. Where land development is exempt from these Regulations, property owners must notify the ZA of the project in writing to ensure compliance. The following types of land development are exempt and a zoning permit shall not be required:
1. State Exemptions. These Regulations shall not regulate the following types of land development exempt in state statute:

3.2 Conditional Use Review

3.2.1 Applicability

- A. The regulations in Section 3.2 shall apply to all development requiring conditional use review per Table 2.2. Expansion or alteration of an existing conditional use also requires approval under this section. Except as provided by Section 3.2(C)(1), a zoning permit for any use or structure that requires conditional use review will not be issued by the ZA until the DRB grants such approval according to these Regulations. The change of a permitted use to a conditional use requires approval under this section.

3.2.2 Application

- A. Application materials for Conditional Use Review shall be submitted to the ZA who will notify the applicant in writing when the application is complete. No public hearing for Conditional Use Review will be scheduled with the DRB until complete application materials are received. Conditional Use Review hearings will be warned in accordance with Section 8.4 (Public Hearings). A complete application for conditional use review shall include all the information requested on the Town of Georgia conditional use application form, all the information required in Table 3.2 and the application fee. Notwithstanding the foregoing, the DRB may require additional information to be submitted as part of the Conditional Use Review Process.