



MEMORANDUM

TO: Colchester Selectboard
FROM: Cathyann LaRose, Director of Planning & Zoning
CC: Aaron Frank, Town Manager
Renaë Marshall, Deputy Town Manager
DATE: May 15, 2025
RE: Review of Planning and Zoning Fees for Service

Issue: Whether or not the Colchester Selectboard shall adopt the amendments for changes to Chapter 6 ½ of the Town’s Code of Ordinance related to development fees following a public hearing on June 10, 2025 and as outlined in a memo dated May 15, 2025 from Planning and Zoning Director Cathyann LaRose and as shown in the attached copy of Chapter 6 ½.

Background: In June 2023, the Selectboard asked the Town Manager and Planning and Zoning Director to come up with a method of adjusting planning and zoning fees on an annual basis instead of waiting 3-5 years whereby a larger increase would be necessary. This followed approval of a larger evaluation of planning and zoning fees.

By increasing the fees annually and at a predictable rate, they have more readily kept up with inflationary costs and have better addressed the first section of the Colchester Code of Ordinances, Chapter 6 ½ which states, “The purpose of this chapter is to ensure that the taxpayers do not bear the costs involved in the areas of development, public notices, stenographic records, investigations and inspections.”

This system of increases has been in place and working well. The Planning and Zoning Department has sent courtesy advance notices to frequent users informing them in advance of increases, which has reduced instances of unexpected fees and having to coordinate supplemental payments. In FY 25, the increase was 1.9%. For FY 26, we are seeing a CPI increase of 3.1%. Here is the calculation, for example, for calendar year 2025 which would be included for the FY 26 fees:

CPI-U Northeast Urban, B/C	
Dec 2023	185.979
Dec. 2024	191.834
Change	5.855
% Change	3.148%

This system for increase is already codified within the text of Chapter 6.5 of the ordinance. However, as the full fee sheet is also included within the ordinance, it would need to be updated annually to reflect the increases. This appears to be redundant and inefficient. As the methodology and intent for fee increase is clear and well-defined, the actual fees could be removed from the ordinance allowing annual administrative updates in place of the repetitive, redundant and resource-heavy public hearing process. This has long been the language and process for recreation impact fees which also have an annual escalation. The full schedule of fees would still be published on the town's website and available at the town office building.

Proposal: To amend Chapter 6.5 of the Colchester Code of Ordinances. The first recommendation is to remove the *Planning and Zoning Fee Schedule* from Chapter 6.5 of the Colchester Code of Ordinances, instead referencing the adopted fees from FY 2024 with annual increases intended for each fiscal year, by the Consumer Price Index, Urban (B/C), Northeast, for the prior calendar year. These would be rounded up to the nearest dollar, except for per square foot and per copy charges, which would be to the penny, and rounded up to the nearest penny as they are currently calculated to the penny.

Statewide recording fees are accounted for and included within each of the listed fees where they are applicable and are not charged in addition to what is listed in the fee schedule. At any such time that the State of Vermont should adjust the statewide recording fees, including those for recording mylars, and those fees outpace the Town's development fee schedule increases based on inflation, the fee schedule shall be adjusted accordingly.

This system would be implemented by the Planning and Zoning Director annually with a written notice of the update to the Selectboard to be placed in the Selectboard Packet between March 1, and April 30. These changes would become effective after such communication, on July 1 of the same year. The Planning and Zoning Department would provide notice of the updated fees on their web site and permitting documents no later than June 1.

This language is already included in the Chapter of the Code, but having the specific fee schedule included as well places a schedule that is meant to change annually into a more static document, unnecessarily and redundantly requiring human and financial resources to annually adjust.

The draft, 'redline' ordinance is included as attachment 1. A clean version is included as attachment 2. A draft fee schedule for FY 26 (effective July 1, 2025) is included as attachment 3 but should be considered as informational only and not proposed as part of the adopted ordinance.

Secondly, staff proposes minor and non-substantive modifications to the definitions within the Ordinance which are also included in the Colchester Development Regulations, and which are either duplicative or slightly out of date as modifications have been made over time to the definition within the Development Regulations. As these may continue to change, staff proposes instead to reference the definition from within the Development Regulations where they exist so

that they may stay consistent. Other minor and non-substantive modifications include alignment of terms, including changing ‘single-family’ to ‘single-unit’, and ‘multi-family’ to ‘multi-unit’, as well as ‘accessory apartment’ to ‘accessory dwelling unit’, consistent with state legislation passed in recent years. Legislation requires municipalities to terminate requirements and definitions related to family structure given the evolving makeup of households throughout Vermont.

Proposed Motion: The Colchester Selectboard moves to adopt the amendments for changes to Chapter 6 ½ of the Town’s Code of Ordinance related to development fees following a public hearing on June 10, 2025 and as outlined in a memo dated May 15, 2025 from Planning and Zoning Director Cathyann LaRose and as shown in the attached copy of Chapter 6 ½.

Chapter 6½ FEES FOR PERMITS AND LICENSES GENERALLY [Ⓜ](#)

ARTICLE I. - IN GENERAL

ARTICLE II. - IMPACT FEES

FOOTNOTE(S):

-- (1) ---

Editor's note— Ord. of July 26, 1977 amended this Code by adding provisions designated as Ch. 13. In order to preserve the alphabetical sequence of chapters within the Code, and in accord with the preface to this volume (see page v), the editors have re-designated such provisions as **Ch. 6½. [\(Back\)](#)**

ARTICLE I. IN GENERAL

Sec. 6½-1. Purpose.

Sec. 6½-2. Title.

Sec. 6½-3. Definitions.

Sec. 6½-4. Fees enumerated.

Sec. 6½-5. Permits and licenses required.

Sec. 6½-6. Separability.

Sec. 6½-7. Penalties and fines.

Sec. 6½-8. Variances and waivers.

Sec. 6½-9. Delinquent taxes.

Sec. 6½-10. Appeals.

Sec. 6½-11. Permit to obstruct street or sidewalk; fee.

Sec. 6½-12. Permits for curb cuts; fee.

Secs. 6½-13—6½-19. Reserved.

Sec. 6½-1. Purpose.

[The purpose of this Ordinance is] to ensure that the taxpayers do not bear the costs involved in the areas of development, public notices, stenographic records, investigations and inspections.

(Ord. of 7-26-77; Ord. of 7-24-12; Ord. of 12-8-15; Ord. of 1-23-18)

Sec. 6½-2. Title.

This Ordinance shall be known and entitled as an "Ordinance Regulating Fees for Permits and Licenses and Providing Penalties for Violations thereof in the Town of Colchester, County of Chittenden, State of Vermont."

(Ord. of 7-26-77; Ord. of 12-8-15; Ord. of 1-23-18)

Sec. 6½-3. Definitions.

For the purpose of this Ordinance the following terms, phrases, words, and their derivatives shall have a meaning as given below:

- (a) *Town* is the Town of Colchester.
- (b) *Selectboard* is the Selectboard of the Town of Colchester.
- (c) *Administrative Officer* is the Zoning Administrator for the Town of Colchester.
- (d) *Health Officer* is the legally designated health officer of the Town of Colchester or his/her authorized representative.
- (e) *Town Manager* is the Town Manager for the Town of Colchester or his/her agent or representative.
- (f) *Permit* is a written document issued by the Town of Colchester giving a designated person permission to construct, alter or renovate. This may also be referred to as a building and zoning permit. Other permit types will be specifically referenced, for example, borrow pit and carters.
- (g) *License* is a written document issued by the Town of Colchester to a designated person or corporation, or organization granting permission to operate or conduct business.
- (h) *Affordable housing*: As defined and adopted in the Colchester Development Regulations, as amended from time to time.
 - (1) ~~Owner-occupied dwelling unit that has a purchase price at the time of the first sale that does not exceed eighty-five (85) percent of the new construction, targeted area purchase price limits established and published annually by the Vermont Housing Finance Agency; or~~
 - (2) ~~Rental dwelling unit that has a duration of affordability of not less than fifteen (15) years and for which the total annual cost of renting (including rent, utilities and association fees) does not exceed thirty (30) percent of the gross annual income of a household at eighty (80) percent of the county median income as defined by the U.S. Department of Housing and Urban Development.~~
- (i) ~~*Multifamily Multi-unit dwelling*: A building designed for or occupied by to include two (2) or more families with the number of families in a residence not exceed the number of dwelling units in the same structure, provided.~~ For the purposes of accessory apartments-dwelling units (ADUs) authorized by Title 24 VSA Section 4412(1)(E), the accessory apartment ADU shall be considered as a multifamily-multi-unit dwelling unit whereas the principal dwelling shall be considered a single-family unit dwelling.
- (j) ~~*Single-family unit dwelling*: As defined and adopted in the Colchester Development Regulations. A detached dwelling unit designed for and occupied by one (1) family.~~ Dwelling units converted from seasonal to year-round occupancy shall be considered a new single-family unit dwelling.
- (k) *Dwelling unit*: One (1) or more rooms, designed, occupied or intended for occupancy as separate living quarters, with cooking, sleeping and sanitary facilities provided within the dwelling unit for the exclusive use of a single household. A dwelling unit excludes dormitories, nursing care homes and institutions, inns, hotels, motels, extended stay hotels, and other similar facilities as determined by the Administrative Officer.

(Ord. of 7-26-77; Ord. of 12-8-15; Ord. of 1-23-18)

Sec. 6½-4. Fees enumerated.

The following Planning and Zoning fees shall be charged for the purposes indicated. Where required, the fees listed are inclusive of legal noticed fees (in the town's designated paper of record) and recording fees. Certain fees are mandated or set by the State of Vermont and may or may not be included here are charged accordingly. All fees are listed in US dollars.

- a) Planning and Zoning Fees.
 - 1) Planning and Zoning fees shall be payable as per Table 6a below prescribed herein.
 - 2) Fees and shall be increased each fiscal year according to the Consumer Price Index, Urban (B/C), Northeast, for the prior calendar year.
 - 3) Fees shall be rounded up to nearest dollar, except for per square foot and per copy charges, which are to be to the penny.
 - 4) Statewide recording fees are accounted for within each listed fee. At any such time that the State of Vermont should adjust the statewide recording fees, and those fees outpace the Town's development fee schedule increases based on inflation, the fee schedule shall be adjusted accordingly.
 - 5) This system is to be implemented by the Planning and Zoning Director annually with written notice of the update provided to the Selectboard between March 1 and April 30. Changes shall become effective after such communication, on July 1 of the same calendar year.
 - 6) Updated fee schedules shall be posted to town websites and provided with permitting documents no later than June 1st of each calendar year.

Table 6a.

FY25 FEES		Fee (USD)	Notes
Building and Zoning Permits	Accessory Dwelling Unit (ADU)	\$204	-
	Conversion of seasonal dwelling to year round	\$204	-
	Deck	\$143	-
	Demolition	\$153	-
	Fence	\$87	-
	Home Occupation/Home Business	\$102	-
	Mobile Home Relocation	\$153	-
	New Residential construction	\$153 + \$0.76/sq ft	-
	New Non-Residential Construction	\$510 + \$0.76/sq ft	-
	Shed	\$87	-
	Swimming Pools	\$8.15/\$1000 estimated cost of construction	Minimum fee of \$87.00
	Construction and renovation required by Ch. 4 of this code	\$8.15/\$1000 estimated cost of construction	Minimum fee of \$87.00
	Site Development (including street construction, sidewalks, site infrastructure, parking lots)	\$8.15/\$1000 estimated cost of construction	Minimum fee of \$87.00
	De minimis permit /amendment	\$41	-
	-	-	-
	First	\$0	-
	Repeat or failed (each time)	\$127	-

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Certificate of Occupancy (Inspection)	Temporary	\$127	Shall be paid prior to issuance of final Certificate of Occupancy
	If obtained more than 18 months after permit issuance	\$26	
	If after expired temporary CO	\$255	
	If human occupancy is taken prior to CO	\$204/unit	
-	-	-	-
Bianchi Letter (compliance letter)	Residential	-	-
	Standard	\$127	-
	For requests with less than two (2) weeks to process	\$229	-
	For updates to letters less than two (2) years old	\$76	-
	Non-Residential	\$229	-
-	-	-	-
Subdivision	Technical Review Committee (TRC) meeting	\$153	-
	Sketch Review	\$535+\$10/unit	-
	Preliminary Plat Review	\$1223 base fee plus tiered cost per unit plus \$51/acre	-
		Tiered cost per unit: Units 1-10: \$153/unit Units 11-20: \$102/unit Units 21+: \$72/unit	-
	Final Plat Review	\$815+ \$10/unit	-
	Final Plat Amendment	\$535 plus \$510 per additional unit	-
-	-	-	-
Site Plan	Administrative Amendment	\$357	-
	Amendment	\$433	-
	Site Plan (incl seawall)	\$535	-
	In conjunction with Final Plat	\$255	-
Conditional Use	-	\$433	-
-	In conjunction with Site Plan	\$204	-
Recess/Continuance of DRB Meeting	If at applicant's request	\$102	per occurrence
Variance	-	\$459	-
Appeal	-	\$357	-
Boundary Line Adjustment	-	\$357	-
Permit Extension	Building and zoning permit	\$51	-
	DRB decision	\$153	-
Mylar Recording	-	\$25	per page

Third Party Review	Including but not limited to engineering and legal reviews	varies	To be reimbursed by applicant at full cost
Planning and Zoning Printing	Photocopies or letter sized prints	\$0.25	per page
	Large color prints up to 48"	\$31	-
Sign Permits	Permanent	\$127	-
	Temporary- monthly	\$21	-
	Temporary- annual	\$51	-

b) Penalties. Permits issued after construction or change of use (includes zoning/building permit, site plan, conditional use, variance, home occupation, etc.): Penalty fee of two (2) times the normal permit cost will be charged.

c) Other fees. As per table 6b.

Table 6b.

		Fee (USD)
Amusement license	Full term	\$100
	Limited term	\$55
Carter's permit		\$60 plus \$35 per vehicle
Peddler's license		\$80
Borrow Pit permit		\$125
Excavation within public right of way	Major work such as installation of public utilities along or across the public highway	\$500 plus escrow to cover full restoration cost
	Other minor work	\$100

(Ord. of 1-12-88; Ord. of 3-14-89; Ord. of 9-12-89; Ord. of 5-22-90; Ord. of 6-17-95; Ord. of 2-13-96; Ord. of 2-25-97; Ord. of 7-8-97; Ord. of 3-24-98; Ords. (two) of 12-22-98; Ord. of 4-8-03; Ord. of 2-22-05; Ord. of 2-27-07; Ord. of 6-26-11; Ord. of 7-24-12; Ord. of 12-8-15; Ord. of 1-23-18)

Cross reference— Cross References: Borrow pits and quarries, Ch. 3; building permits and fees, § 4-20 et seq.

Sec. 6½-5. Permits and licenses required.

No activity shall be commenced within the areas covered by this ordinance without a permit or license issued by the Selectboard or Administrative Officer of the Town of Colchester. Municipal organizations are exempt from fee enumerated herein.

(Ord. of 7-26-77; Ord. of 5-22-90; Ord. of 6-27-95; Ord. of 12-8-15; Ord. of 1-23-18)

Sec. 6½-6. Separability.

The invalidity of any provision of this ordinance shall not invalidate any other part.

(Ord. of 7-26-77; Ord. of 12-8-15; Ord. of 1-23-18)

Sec. 6½-7. Penalties and fines.

Any person or corporation not obtaining the proper permit or license in violation of this ordinance shall be subject to a fine pursuant to Chapter 1, Section 1-9(b). If any violation continues, each day's violation shall be deemed a separate violation.

(Ord. of 7-26-77; Ord. of 9-10-96; Ord. of 12-8-15; Ord. of 1-23-18)

Sec. 6½-8. Variances and waivers.

Where the Selectboard finds that extraordinary and unnecessary hardships may result from strict compliance with this ordinance or where there are special circumstances, they may vary this ordinance in the public interest.

(Ord. of 7-26-77; Ord. of 12-8-15; Ord. of 1-23-18)

Sec. 6½-9. Delinquent taxes.

No permits or licenses will be issued until such time as all property taxes are current.

(Ord. of 6-27-95; Ord. of 12-8-15; Ord. of 1-23-18)

Sec. 6½-10. Appeals.

Appeals from the requirements of this ordinance shall be heard and decided by the Selectboard.

(Ord. of 6-27-95; Ord. of 12-8-15; Ord. of 1-23-18)

Sec. 6½-11. Permit to obstruct street or sidewalk; fee.

The fee for a permit for a week or part thereof shall be forty dollars (\$40.00).

(Ord. of 10-10-95; Ord. of 4-8-03; Ord. of 12-8-15; Ord. of 1-23-18)

Sec. 6½-12. Permits for curb cuts; fee.

The fee for each curb cut and/or driveway application/permit shall be forty dollars (\$40.00).

(Ord. of 10-10-95; Ord. of 4-8-03; Ord. of 12-8-15; Ord. of 1-23-18)

Secs. 6½-13—6½-19. Reserved.

ARTICLE II. IMPACT FEES

Sec. 6½-20. Purpose.

Sec. 6½-21. Authority.

Sec. 6½-22. Compliance with the impact fee statute.

Sec. 6½-23. Establishment of impact fees.

Sec. 6½-24. Payment of fees.

Sec. 6½-25. Appeals.

Sec. 6½-26. Accounting; refund.

Sec. 6½-27. Applicability of this chapter.

Sec. 6½-20. Purpose.

The purpose of this article is to:

- (1) Provide for the payment by beneficiaries of new development of their proportionate share of the cost of municipal and school capital projects which benefit or are attributable to them;
- (2) To require the beneficiaries to pay for or mitigate the negative effects of construction; and
- (3) To provide for the proper accounting for and expenditure of impact fees collected by the Town of Colchester.

(Ord. of 11-11-97; Ord. of 12-8-15; Ord. of 1-23-18)

Sec. 6½-21. Authority.

This article is adopted pursuant to 24 V.S.A. Chapter 59 and 24 V.S.A. Chapter 131 and shall be known as the "Colchester Impact Fee Ordinance." The terms used in this article shall have the same meanings as those terms set forth in 24 V.S.A. Chapter 131.

(Ord. of 11-11-97; Ord. of 12-8-15; Ord. of 1-23-18)

Sec. 6½-22. Compliance with the impact fee statute.

The formula for each impact fee imposed by this article is intended to comply with the provisions of 24 V.S.A. Chapter 131. Notwithstanding anything to be contrary in this article, each fee imposed by this article shall be equal to or less than the portion of the capital project which will benefit or is attributable to the development for which the permit is being issued and shall not include costs attributable to the operation, administration, or maintenance of the capital project. The fees shall be based upon a formula which reflects the level of service for the capital project to be funded and a means of assessing the impact associated with the development, such as square footage or numbers of bedrooms.

(Ord. of 11-11-97; Ord. of 12-8-15; Ord. of 1-23-18)

Sec. 6½-23. Establishment of impact fees.

- (a) *Recreational impact fee.* A recreational impact fee shall be paid for all land development in the Town of Colchester that includes the construction of one (1) or more new residential dwelling units and/or the conversion of an existing structure, in whole or in part, for use as a residential dwelling unit including those converted from seasonal to year-round use as defined in the Colchester Development Regulations. The recreation impact fee shall be payable according to the following formula:

Fiscal Year (July 1—June 30)	Fee per Single Family Unit Dwelling Unit	Fee per Multifamily Multi-Unit Dwelling Unit
2018	\$994.00	\$735.00
2019	1,247.00	923.00
2020	1,501.00	1,110.74
2021	1,755.00	1,298.70
2022	2,009.00	1,486.66

* For each fiscal year beyond 2022, the fees per respective unit shall increase two and one-half (2.5) percent each year unless otherwise amended.

- (b) *Educational impact fee.* An education impact fee shall be paid for all land development in the Town of Colchester that includes an increase in the number of residential bedrooms on the land, including, but not limited to, construction of new buildings and renovations and additions to existing buildings, the installation of mobile homes and the conversion of dwelling units from seasonal to year-round use as defined in the Colchester Development Regulations. The educational impact fee shall be payable according to the following formula: Six hundred dollars (\$600.00) per each new or additional bedroom including those converted from seasonal to year-round. The enactment of any new impact fee or change in the amount of an existing fee shall be established by resolution or by ordinance. If by resolution, the resolution shall be adopted in the same manner required for the adoption of an ordinance under 24 V.S.A. Chapter 59.

(Ord. of 11-11-97; Ord. of 12-8-15; Ord. of 1-23-18)

Sec. 6½-24. Payment of fees.

- (a) Prior to issuance of a zoning permit for land development subject to payment of impact fees under this article, the permit applicant shall pay to the Administrative Officer the impact fee or fees established pursuant to this article.
- (b) The Selectboard may accept in lieu of the recreation impact fee:
- (1) Suitable land; and/or
 - (2) Monetary or in-kind donations of amenities for completion of projects defined in the Town's approved capital plan and/or official map.
- (c) The Selectboard may accept payment of fees pursuant to a reasonable installment schedule with a reasonable rate of interest.

(d) Recreation impact fees for affordable units as defined herein are subject to a fifty (50) percent discount. Proof of affordability shall be submitted prior to reduction in fee.

(Ord. of 11-11-97; Ord. of 12-8-15; Ord. of 1-23-18)

Sec. 6½-25. Appeals.

Appeals from the requirements of this article shall be made to the Selectboard.

(Ord. of 11-11-97; Ord. of 12-8-15; Ord. of 1-23-18)

Sec. 6½-26. Accounting; refund.

Upon receipt of fees, the Administrative Officer shall promptly deliver to the Town Treasurer all fees collected. The Treasurer shall maintain the fees in a separate interest bearing account for impact fees and shall enter in a register the name of the payor, the amount of each fee, the land development for which each fee is collected, the capital project(s) for which the fee is intended, and the expenditure of the fee on a capital project, if any. Annually, the Treasurer shall render an accounting showing the total amounts collected, the sources of the fees, the capital projects for which each fee was expended, and the amount of impact fees spent, the total amount spent on each project, and a breakdown of the sources of funding for each project. If the fee is not spent on the capital project(s) for which the fee was intended within six (6) years of when the fee was collected, upon the request by the owner of the property for which the fee was paid pursuant to 24 V.S.A. Section 5203(e), the municipality shall refund the owner's proportionate share of the fee.

(Ord. of 11-11-97; Ord. of 12-8-15; Ord. of 1-23-18)

Sec. 6½-27. Applicability of this Ordinance.

All the general provisions of this ordinance shall apply to this Article II.

(Ord. of 11-11-97; Ord. of 12-8-15; Ord. of 1-23-18)

Chapter 6½ FEES FOR PERMITS AND LICENSES GENERALLY [11](#)

ARTICLE I. - IN GENERAL

ARTICLE II. - IMPACT FEES

FOOTNOTE(S):

-- (1) ---

Editor's note— Ord. of July 26, 1977 amended this Code by adding provisions designated as Ch. 13. In order to preserve the alphabetical sequence of chapters within the Code, and in accord with the preface to this volume (see page v), the editors have re-designated such provisions as Ch. 6½. ([Back](#))

ARTICLE I. IN GENERAL

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Sec. 6½-3. Definitions.

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Secs. 6½-13—6½-19. Reserved.

Sec. 6½-1. Purpose.

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Sec. 6½-3. Definitions.

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- (h) *Affordable housing*: As defined and adopted in the Colchester Development Regulations, as amended from time to time.
- (i) *Multi-unit dwelling*: A building designed to include two (2) or more dwelling units in the same structure.. For the purposes of accessory dwelling units (ADUs) authorized by Title 24 VSA Section 4412(1)(E), the ADU shall be considered as a multi-unit dwelling whereas the principal dwelling shall be considered a single-unit dwelling.
- (j) *Single-unit dwelling*: As defined and adopted in the Colchester Development Regulations. Dwelling units converted from seasonal to year-round occupancy shall be considered a new single-unit dwelling.
- (k) *Dwelling unit*: One (1) or more rooms, designed, occupied or intended for occupancy as separate living quarters, with cooking, sleeping and sanitary facilities provided within the dwelling unit for the exclusive use of a single household. A dwelling unit excludes dormitories, nursing care homes and institutions, inns, hotels, motels, extended stay hotels, and other similar facilities as determined by the Administrative Officer.

(Ord. of 7-26-77; Ord. of 12-8-15; Ord. of 1-23-18)

Sec. 6½-4. Fees enumerated.

Planning and Zoning fees shall be charged for the purposes indicated. Where required, the fees listed are inclusive of legal noticed fees (in the town's designated paper of record) and recording fees. Certain fees are mandated or set by the State of Vermont and are charged accordingly. All fees are listed in US dollars.

- a) Planning and Zoning Fees.

- 1) Planning and Zoning fees shall be payable as prescribed herein.
- 2) Fees shall be increased each fiscal year according to the Consumer Price Index, Urban (B/C), Northeast, for the prior calendar year.
- 3) Fees shall be rounded up to nearest dollar, except for per square foot and per copy charges, which are to be to the penny.
- 4) Statewide recording fees are accounted for within each listed fee. At any such time that the State of Vermont should adjust the statewide recording fees, and those fees outpace the Town's development fee schedule increases based on inflation, the fee schedule shall be adjusted accordingly.
- 5) This system is to be implemented by the Planning and Zoning Director annually with written notice of the update provided to the Selectboard between March 1 and April 30. Changes shall become effective after such communication, on July 1 of the same calendar year.
- 6) Updated fee schedules shall be posted to town websites and provided with permitting documents no later than June 1st of each calendar year.

b) Penalties. Permits issued after construction or change of use (includes zoning/building permit, site plan, conditional use, variance, home occupation, etc.): Penalty fee of two (2) times the normal permit cost will be charged.

c) Other fees. As per table 6b.

Table 6b.

		Fee (USD)
Amusement license	Full term	\$100
	Limited term	\$55
Carter's permit		\$60 plus \$35 per vehicle
Peddlers license		\$80
Borrow Pit permit		\$125
Excavation within public right of way	Major work such as installation of public utilities along or across the public highway	\$500 plus escrow to cover full restoration cost
	Other minor work	\$100

(Ord. of 1-12-88; Ord. of 3-14-89; Ord. of 9-12-89; Ord. of 5-22-90; Ord. of 6-17-95; Ord. of 2-13-96; Ord. of 2-25-97; Ord. of 7-8-97; Ord. of 3-24-98; Ords. (two) of 12-22-98; Ord. of 4-8-03; Ord. of 2-22-05; Ord. of 2-27-07; Ord. of 6-26-11; Ord. of 7-24-12; Ord. of 12-8-15; Ord. of 1-23-18)

Cross reference— Cross References: Borrow pits and quarries, Ch. 3; building permits and fees, § 4-20 et seq.

Sec. 6½-5. Permits and licenses required.

No activity shall be commenced within the areas covered by this ordinance without a permit or license issued by the Selectboard or Administrative Officer of the Town of Colchester. Municipal organizations are exempt from fee enumerated herein.

(Ord. of 7-26-77; Ord. of 5-22-90; Ord. of 6-27-95; Ord. of 12-8-15; Ord. of 1-23-18)

Sec. 6½-6. Separability.

The invalidity of any provision of this ordinance shall not invalidate any other part.

(Ord. of 7-26-77; Ord. of 12-8-15; Ord. of 1-23-18)

Sec. 6½-7. Penalties and fines.

Any person or corporation not obtaining the proper permit or license in violation of this ordinance shall be subject to a fine pursuant to Chapter 1, Section 1-9(b). If any violation continues, each day's violation shall be deemed a separate violation.

(Ord. of 7-26-77; Ord. of 9-10-96; Ord. of 12-8-15; Ord. of 1-23-18)

Sec. 6½-8. Variances and waivers.

Where the Selectboard finds that extraordinary and unnecessary hardships may result from strict compliance with this ordinance or where there are special circumstances, they may vary this ordinance in the public interest.

(Ord. of 7-26-77; Ord. of 12-8-15; Ord. of 1-23-18)

Sec. 6½-9. Delinquent taxes.

No permits or licenses will be issued until such time as all property taxes are current.

(Ord. of 6-27-95; Ord. of 12-8-15; Ord. of 1-23-18)

Sec. 6½-10. Appeals.

Appeals from the requirements of this ordinance shall be heard and decided by the Selectboard.

(Ord. of 6-27-95; Ord. of 12-8-15; Ord. of 1-23-18)

Sec. 6½-11. Permit to obstruct street or sidewalk; fee.

The fee for a permit for a week or part thereof shall be forty dollars (\$40.00).

(Ord. of 10-10-95; Ord. of 4-8-03; Ord. of 12-8-15; Ord. of 1-23-18)

Sec. 6½-12. Permits for curb cuts; fee.

The fee for each curb cut and/or driveway application/permit shall be forty dollars (\$40.00).

(Ord. of 10-10-95; Ord. of 4-8-03; Ord. of 12-8-15; Ord. of 1-23-18)

Secs. 6½-13—6½-19. Reserved.

ARTICLE II. IMPACT FEES

Sec. 6½-20. Purpose.

Sec. 6½-21. Authority.

Sec. 6½-22. Compliance with the impact fee statute.

Sec. 6½-23. Establishment of impact fees.

Sec. 6½-24. Payment of fees.

Sec. 6½-25. Appeals.

Sec. 6½-26. Accounting; refund.

Sec. 6½-27. Applicability of this chapter.

Sec. 6½-20. Purpose.

The purpose of this article is to:

- (1) Provide for the payment by beneficiaries of new development of their proportionate share of the cost of municipal and school capital projects which benefit or are attributable to them;
- (2) To require the beneficiaries to pay for or mitigate the negative effects of construction; and
- (3) To provide for the proper accounting for and expenditure of impact fees collected by the Town of Colchester.

(Ord. of 11-11-97; Ord. of 12-8-15; Ord. of 1-23-18)

Sec. 6½-21. Authority.

This article is adopted pursuant to 24 V.S.A. Chapter 59 and 24 V.S.A. Chapter 131 and shall be known as the "Colchester Impact Fee Ordinance." The terms used in this article shall have the same meanings as those terms set forth in 24 V.S.A. Chapter 131.

(Ord. of 11-11-97; Ord. of 12-8-15; Ord. of 1-23-18)

Sec. 6½-22. Compliance with the impact fee statute.

The formula for each impact fee imposed by this article is intended to comply with the provisions of 24 V.S.A. Chapter 131. Notwithstanding anything to be contrary in this article, each fee imposed by this article shall be equal to or less than the portion of the capital project which will benefit or is attributable to the development for which the permit is being issued and shall not include costs attributable to the operation, administration, or maintenance of the capital project. The fees shall be based upon a formula which reflects

the level of service for the capital project to be funded and a means of assessing the impact associated with the development, such as square footage or numbers of bedrooms.

(Ord. of 11-11-97; Ord. of 12-8-15; Ord. of 1-23-18)

Sec. 6½-23. Establishment of impact fees.

- (a) *Recreational impact fee.* A recreational impact fee shall be paid for all land development in the Town of Colchester that includes the construction of one (1) or more new residential dwelling units and/or the conversion of an existing structure, in whole or in part, for use as a residential dwelling unit including those converted from seasonal to year-round use as defined in the Colchester Development Regulations. The recreation impact fee shall be payable according to the following formula:

Fiscal Year (July 1—June 30)	Fee per Single-Unit Dwelling	Fee per Multi-Unit Dwelling
2018	\$994.00	\$735.00
2019	1,247.00	923.00
2020	1,501.00	1,110.74
2021	1,755.00	1,298.70
2022	2,009.00	1,486.66

* For each fiscal year beyond 2022, the fees per respective unit shall increase two and one-half (2.5) percent each year unless otherwise amended.

- (b) *Educational impact fee.* An education impact fee shall be paid for all land development in the Town of Colchester that includes an increase in the number of residential bedrooms on the land, including, but not limited to, construction of new buildings and renovations and additions to existing buildings, the installation of mobile homes and the conversion of dwelling units from seasonal to year-round use as defined in the Colchester Development Regulations. The educational impact fee shall be payable according to the following formula: Six hundred dollars (\$600.00) per each new or additional bedroom including those converted from seasonal to year-round. The enactment of any new impact fee or change in the amount of an existing fee shall be established by resolution or by ordinance. If by resolution, the resolution shall be adopted in the same manner required for the adoption of an ordinance under 24 V.S.A. Chapter 59.

(Ord. of 11-11-97; Ord. of 12-8-15; Ord. of 1-23-18)

Sec. 6½-24. Payment of fees.

- (a) Prior to issuance of a zoning permit for land development subject to payment of impact fees under this article, the permit applicant shall pay to the Administrative Officer the impact fee or fees established pursuant to this article.
- (b) The Selectboard may accept in lieu of the recreation impact fee:

- (1) Suitable land; and/or
 - (2) Monetary or in-kind donations of amenities for completion of projects defined in the Town's approved capital plan and/or official map.
- (c) The Selectboard may accept payment of fees pursuant to a reasonable installment schedule with a reasonable rate of interest.
- (d) Recreation impact fees for affordable units as defined herein are subject to a fifty (50) percent discount. Proof of affordability shall be submitted prior to reduction in fee.

(Ord. of 11-11-97; Ord. of 12-8-15; Ord. of 1-23-18)

Sec. 6½-25. Appeals.

Appeals from the requirements of this article shall be made to the Selectboard.

(Ord. of 11-11-97; Ord. of 12-8-15; Ord. of 1-23-18)

Sec. 6½-26. Accounting; refund.

Upon receipt of fees, the Administrative Officer shall promptly deliver to the Town Treasurer all fees collected. The Treasurer shall maintain the fees in a separate interest bearing account for impact fees and shall enter in a register the name of the payor, the amount of each fee, the land development for which each fee is collected, the capital project(s) for which the fee is intended, and the expenditure of the fee on a capital project, if any. Annually, the Treasurer shall render an accounting showing the total amounts collected, the sources of the fees, the capital projects for which each fee was expended, and the amount of impact fees spent, the total amount spent on each project, and a breakdown of the sources of funding for each project. If the fee is not spent on the capital project(s) for which the fee was intended within six (6) years of when the fee was collected, upon the request by the owner of the property for which the fee was paid pursuant to 24 V.S.A. Section 5203(e), the municipality shall refund the owner's proportionate share of the fee.

(Ord. of 11-11-97; Ord. of 12-8-15; Ord. of 1-23-18)

Sec. 6½-27. Applicability of this Ordinance.

All the general provisions of this ordinance shall apply to this Article II.

(Ord. of 11-11-97; Ord. of 12-8-15; Ord. of 1-23-18)