

ARTICLE I – AUTHORITY & PURPOSE

SECTION 1.1 ENACTMENT

A. In accordance with the Vermont Planning and Development Act (24 VSA Chapter 117), hereinafter referred to as “the Act,” there is hereby established a unified bylaw to govern land use and development in the City of Winooski, VT. This bylaw shall be known as the “Unified Land Use and Development Regulations”, referred to herein as “the Regulations”.

B. This bylaw replaces and supersedes the following previously enacted municipal bylaws:

- Winooski Zoning Ordinance and Official Zoning Map, enacted December 28, 1981 as amended through January 30, 2012
- Winooski Subdivision, enacted October 21, 1985
- Site Planning Guidelines, enacted 1993

The above-referenced bylaws are repealed as of the effective date of the Winooski Unified Land Use and Development Regulations.

SECTION 1.2 PURPOSE

A. The purposes of these regulations are to:

1. Conform to and implement the Winooski Municipal Development Plan as most recently adopted, and to further state planning goals under the Act [§ 4302][statutory references are to Title 24 of Vermont Statutes Annotated, unless otherwise indicated].
2. Protect and provide for the public health, safety, and general welfare of the City of Winooski.
3. Protect the public health and safety by the reduction of noise, air, and water pollution, and other noxious physical influences; and secure safety from fire, explosions, floods and other hazards.
4. Create an optimum urban environment by encouraging a rational pattern of development and the most appropriate use of land, minimizing the adverse impact of one land use on another, protect access to adequate light and air, and by conserving and enhancing important natural areas, urban open space, historic and cultural resources.
5. Provide adequate access to public ways that will be safe and convenient.
6. Facilitate the adequate and efficient provision of transportation for pedestrian, bicycle, and vehicular traffic, water, sewer, schools and other public facilities and services.

SECTION 1.3 APPLICATION & INTERPRETATION

A. These regulations, and their administration and enforcement, are subject to all provisions of the Act as may be amended from time to time.

B. No land subdivision or development shall commence in the City of Winooski except in conformance with these regulations. Land subdivision or development not specifically authorized under these regulations, unless exempted under the Act, is prohibited.

C. These regulations are not intended to repeal, annul, or in any way impair any previously issued permit or approval. All land subdivisions, uses, and structures legally in existence as of the effective date of these regulations are

allowed to continue. Changes or alterations to pre-existing subdivisions, structures, or uses must meet all applicable requirements of these regulations, including requirements for nonconforming lots, uses and structures.

D. Where these regulations impose a greater restriction on the use of land or a structure than is required by any other statute, ordinance, rule, or regulation, these regulations shall apply.

F. Additional municipal, state or federal permits may be required beyond those identified in these regulations. It is the applicant's responsibility to secure all required municipal, state and federal permits prior to commencing land subdivision and development.

SECTION 1.4 BYLAW AMENDMENTS

A. These regulations, including the official zoning map, may be amended or repealed only in accordance with the Act [§ 4441, § 4442 and § 4444].

B. Proposed changes to these regulations or the zoning map shall be submitted in writing to the Winooski Planning Commission for consideration, as required under the Act [§ 4441].

SECTION 1.5 SEVERABILITY

A. The provisions of these regulations are severable. If any provision of these regulations, or its application by the City, is held invalid by a court of jurisdiction, this shall not affect the validity or application of other provisions in these regulations.