

1 H.359

2 Introduced by Representatives Smith of New Haven, Bancroft of Westford,
3 Batchelor of Derby, Beyor of Highgate, Brennan of Colchester,
4 Canfield of Fair Haven, Connor of Fairfield, Conquest of
5 Newbury, Dakin of Colchester, Dickinson of St. Albans Town,
6 Donahue of Northfield, Feltus of Lyndon, Gage of Rutland
7 City, Hebert of Vernon, Hubert of Milton, Lewis of Berlin,
8 Pearce of Richford, Purvis of Colchester, Shaw of Pittsford, and
9 Van Wyck of Ferrisburgh

10 Referred to Committee on

11 Date:

12 Subject: Conservation and development; land use; settlement patterns;

13 Act 250; regional and municipal planning

14 Statement of purpose of bill as introduced: This bill proposes to amend the
15 definition of “existing settlement” under 10 V.S.A. chapter 151 (Act 250) to
16 include existing industrial parks and discrete areas designated for expansion in
17 the applicable municipal or regional plan.

18 An act relating to including existing industrial parks and locally designated
19 expansion areas in Act 250’s definition of “existing settlement”

20 It is hereby enacted by the General Assembly of the State of Vermont:

1 Sec. 1. 10 V.S.A. § 6001 is amended to read:

2 § 6001. DEFINITIONS

3 ~~It~~ As used in this chapter:

4 * * *

5 (16)(A) “Existing settlement” means an area that constitutes one of the
6 following:

7 (i) a designated center; ~~or~~

8 (ii) an existing center that is compact in form and size; that
9 contains a mixture of uses that include a substantial residential component and
10 that are within walking distance of each other; that has significantly higher
11 densities than densities that occur outside the center; and that is typically
12 served by municipal infrastructure such as water, wastewater, sidewalks, paths,
13 transit, parking areas, and public parks or greens;

14 (iii) an industrial park in existence as of January 1, 2015; or

15 (iv) a discrete area contiguous to an area described in subdivision

16 (i) or (ii) of this subdivision (A) that is delineated and designated in the

17 applicable municipal or regional plan for expansion of commercial or

18 industrial uses, or both.

19 (B) Strip development outside an area described in subdivision (A)~~(i)~~

20 ~~or (ii)~~ of this subdivision (16) shall not constitute an existing settlement.

21 * * *

1 (37) “Industrial park” means an area of land permitted under this chapter
2 that is planned, designed, and zoned as a location for one or more industrial
3 buildings, that includes adequate access roads, utilities, water, sewer, and other
4 services necessary for the uses of the industrial buildings, and includes no
5 retail use except that which is incidental to an industrial use, and no office use
6 except that which is incidental or secondary to an industrial use.

7 Sec. 2. EFFECTIVE DATE

8 This act shall take effect on July 1, 2015.