

1 H.687

2 Senator Bray moves that the report of the Committee on Finance be
3 amended as follows:

4 First: By striking out Sec. 1 in its entirety and inserting in lieu thereof the
5 following:

6 Sec. 1. 10 V.S.A. § 6000 is added to read:

7 § 6000. PURPOSE; CONSTRUCTION

8 The purposes of this chapter are to protect and conserve the environment of
9 the State and to support the achievement of the goals of the Capability and
10 Development Plan, of 24 V.S.A. § 4302(c), and of the conservation vision and
11 goals for the State established in section 2802 of this title, while supporting
12 equitable access to infrastructure, including housing.

13 Second: By inserting new sections, Secs. 23a and 23b, to read as follows
14 Sec. 23a. 24 V.S.A. § 4412(11) is amended to read:

15 (11) Accessory on-farm businesses. No bylaw shall have the effect of
16 prohibiting an accessory on-farm business at the same location as a farm.

17 (A) Definitions. As used in this subdivision (11):

18 (i) “Accessory on-farm business” means activity ~~that is accessory~~
19 ~~to~~ on a farm, the revenues of which may exceed the revenues of the farming
20 operation, and comprises one or both of the following:

1 (I) The storage, preparation, processing, and sale of qualifying
2 products, provided that ~~more than 50 percent of the total annual sales are from~~
3 the qualifying products that are produced on the a farm at which the business is
4 located; the sale of products that name, describe, or promote the farm or
5 accessory on-farm business, including merchandise or apparel that features the
6 farm or accessory on-farm business; or the sale of bread or baked goods.

7 * * *

8 (iv) “Qualifying product” means a product that is wholly:

9 (I) an agricultural, horticultural, viticultural, or dairy
10 commodity, or maple syrup;

11 (II) livestock or cultured fish or a product thereof;

12 (III) a product of poultry, bees, an orchard, or fiber crops;

13 (IV) a commodity otherwise grown or raised on a farm; or

14 (V) a product manufactured on one or more farms from
15 commodities wholly grown or raised on one or more farms.

16 * * *

17 Sec. 23b. 10 V.S.A. § 6081 is amended to read:

18 § 6081. PERMITS REQUIRED; EXEMPTIONS

19 * * *

20 (t) No permit or permit amendment is required for the construction of
21 improvements for an accessory on-farm business for the storage or sale of

1 qualifying products or the other eligible enumerated products as defined in
2 24 V.S.A. § 4412(11)(A)(i)(I). No permit or permit amendment is required for
3 the construction of improvements for an accessory on-farm business for the
4 preparation or processing of qualifying products as defined in 24 V.S.A.
5 § 4412(11)(A)(i)(I), provided that more than 50 percent of the total annual
6 sales of the prepared or processed qualifying products come from products
7 produced on the farm where the business is located. This subsection shall not
8 apply to the construction of improvements related to hosting events or farm
9 stays as part of an accessory on-farm business as defined in 24 V.S.A.
10 § 4412(11)(A)(i)(II).

11 Third: By striking out Sec. 51 in its entirety and inserting in lieu thereof the
12 following:

13 Sec. 51. 24 V.S.A. § 4412 is amended to read:

14 § 4412. REQUIRED PROVISIONS AND PROHIBITED EFFECTS

15 Notwithstanding any existing bylaw, the following land development
16 provisions shall apply in every municipality:

17 (1) Equal treatment of housing and required provisions for affordable
18 housing.

19 * * *

20 (D) Bylaws shall designate appropriate districts and reasonable
21 regulations for multiunit or multifamily dwellings. No bylaw shall have the

1 effect of excluding these multiunit or multifamily dwellings from the
2 municipality. In any district that allows year-round residential development,
3 duplexes shall be ~~an allowed~~ a permitted use with ~~the same~~ dimensional
4 standards as that are not more restrictive than is required for a single-unit
5 dwelling, including no additional land or lot area than would be required for a
6 single-unit dwelling. In any district that is served by municipal sewer and
7 water infrastructure that allows residential development, multiunit dwellings
8 with four or fewer units shall be a permitted use on lots that are at least 1/3 of
9 an acre in size with an allowed density of up to 12 units per acre use, and the
10 established lot size for a single-unit dwelling shall be sufficient for up to four
11 dwelling units such that no more than 1/5 of an acre shall be required, unless
12 that district specifically requires multiunit structures to have more than four
13 dwelling units.

14 * * *

15 (12) In any area served by municipal sewer and water infrastructure that
16 allows residential development, bylaws shall establish lot and building
17 dimensional standards that allow five or more dwelling units per acre for each
18 allowed residential use, ~~and density~~. Any lot that is smaller than one acre but
19 granted a variance of not more than 10 percent shall be treated as one acre for
20 the purposes of this subsection. Density and minimum lot size standards for

1 multiunit dwellings shall not be more restrictive than those required for single-
2 family dwellings.

3 (13) In any area served by municipal sewer and water infrastructure that
4 allows residential development, bylaws shall permit any affordable housing
5 development, as defined in subdivision 4303(2) of this title, including mixed-
6 use development, to exceed density limitations for residential developments by
7 an additional 40 percent, rounded up to the nearest whole unit, which shall
8 include exceeding maximum height limitations by one floor, provided that the
9 structure complies with the Vermont Fire and Building Safety Code.

10 (14) No zoning or subdivision bylaw shall have the effect of prohibiting
11 unrelated occupants from residing in the same dwelling unit.

12 Fourth: In Sec. 53, 24 V.S.A. § 4428, by striking out subsection (b) in its
13 entirety and renumbering the remaining subsections to be numerically correct.

14 Fifth: In Sec. 37, 10 V.S.A. § 6081, by striking out subsection (bb) and
15 inserting a new subsection (bb) to read as follows:

16 (bb) Until July 1, 2029, no permit or permit amendment is required for the
17 construction of improvements for an accessory dwelling unit as defined section
18 6001. Housing units constructed pursuant to this subdivision shall not count
19 towards the total units constructed in other Tier areas.

20 Sixth: By adding a new Sec. 37a to read as follows:

21 Sec. 37. 10 V.S.A. § 6001(50) is added to read :

1 (50) “Accessory dwelling unit” means a distinct unit that is clearly
2 subordinate to a single-family, owner-occupied dwelling and has facilities and
3 provisions for independent living, including sleeping, food preparation and
4 sanitation, provided there is compliance with all of the following:

5 (A) the property has sufficient wastewater capacity;

6 (B) the unit does not exceed 30 percent of the habitable floor area of
7 the single-family dwelling or 900 square feet, whichever is greater; and

8 (C) the unit is located within or appurtenant to a single-family
9 dwelling, whether the dwelling is existing or new construction.

10 Seventh: In Sec. 52, 24 V.S.A. § 4413, by striking out subdivision (H) in its
11 entirety and adding a new (H) to read as follows:

12 (H) hotels and motels converted to permanently affordable housing
13 development. However, each permanently affordable housing unit converted
14 from a hotel or motel room shall be equipped with a kitchen and meet any
15 other local municipal minimum housing standards.

16 and that after passage the title of the bill be amended to read: “An act
17 relating to land use planning, development, and housing”