

1 H.721

2 Introduced by Representatives Clarkson of Woodstock, Botzow of Pownal and

3 Masland of Thetford

4 Referred to Committee on

5 Date:

6 Subject: Conservation and development; natural resources; ridgelines;

7 municipal development plans

8 Statement of purpose: This bill proposes to protect the rural and scenic

9 character of Vermont by requiring municipal development plans and

10 preserving the state's primary ridgelines and hillsides.

11 An act relating to requiring municipal development plans and ridgeline
12 protection bylaws

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

14 Sec. 1. 24 V.S.A. § 4303(33) is added to read:

15 (33) "Ridgeline protection area" means all land within 500 horizontal
16 feet of a line connecting a municipality's primary ridges and may include other
17 land as defined by a municipality in a bylaw adopted under this chapter.

18 Sec. 2. 24 V.S.A. § 4382(a) is amended to read:

19 (a) Each municipality shall adopt a plan under this subchapter. A plan for a
20 municipality may be consistent with the goals established in section 4302 of

1 this title and compatible with approved plans of other municipalities in the
2 region and with the regional plan and shall include the following:

3 * * *

4 (2) A land use plan, consisting of a map and statement of present and
5 prospective land uses, indicating those areas proposed for forests, recreation,
6 agriculture (using the agricultural lands identification process established in
7 6 V.S.A. § 8), residence, commerce, industry, public and semi-public uses and
8 open spaces reserved for flood plain, wetland protection, ridgeline protection,
9 or other conservation purposes; and setting forth the present and prospective
10 location, amount, intensity, and character of such land uses and the appropriate
11 timing or sequence of land development activities in relation to the provision
12 of necessary community facilities and service;

13 * * *

14 Sec. 3. 24 V.S.A. § 4412(10) is added to read:

15 (10) Ridgeline protection plan. Each municipality shall designate a
16 ridgeline protection area, which shall, at a minimum, consist of all land within
17 500 horizontal feet of primary ridges within the municipality. Each
18 municipality shall adopt a bylaw that provides standards and review
19 procedures for regulating the height, design, placement, and impact of
20 structures on lands that lie within the ridgeline protection area. Specifically,
21 such a bylaw shall:

1 (A) prohibit preconstruction, site disturbance activities, and land
2 development to commence until the appropriate municipal panel of the
3 municipality has approved development plans for the site;

4 (B) require that a development plan submitted for review by the
5 appropriate municipal panel include steps to mitigate effects of erosion and
6 stormwater drainage likely to be caused by the development of land within the
7 ridgeline protection area;

8 (C) require that land development within the ridgeline protection area
9 not serve as a visual focal point;

10 (D) require that land development within the ridgeline protection area
11 not break the skyline; and

12 (E) require that land development within the ridgeline protection area
13 not create daytime glare or glow of the night sky.

14 Sec. 4. EFFECTIVE DATE

15 This act shall take effect on July 1, 2010.