

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21

H.419

Introduced by Representatives Burditt of West Rutland, Bancroft of Westford,
Baser of Bristol, Beck of St. Johnsbury, Beyor of Highgate,
Brennan of Colchester, Buxton of Tunbridge, Canfield of
Fair Haven, Carr of Brandon, Christie of Hartford, Condon of
Colchester, Connor of Fairfield, Cupoli of Rutland City,
Devereux of Mount Holly, Donahue of Northfield, Eastman of
Orwell, Fagan of Rutland City, Fiske of Enosburgh, Frank of
Underhill, Gage of Rutland City, Gamache of Swanton, Graham
of Williamstown, Hebert of Vernon, Helm of Fair Haven,
Higley of Lowell, Huntley of Cavendish, Komline of Dorset,
LaClair of Barre Town, Lawrence of Lyndon, Manwaring of
Wilmington, Martin of Wolcott, McFaun of Barre Town,
Morrissey of Bennington, Mrowicki of Putney, Murphy of
Fairfax, Myers of Essex, Parent of St. Albans City, Potter of
Clarendon, Russell of Rutland City, Savage of Swanton, Shaw
of Pittsford, Shaw of Derby, Sibilina of Dover, Smith of
New Haven, Strong of Albany, Tate of Mendon, Toll of
Danville, Trieber of Rockingham, Van Wyck of Ferrisburgh,
Viens of Newport City, Willhoit of St. Johnsbury, Woodward of
Johnson, Young of Glover, and Zagar of Barnard

1 Referred to Committee on

2 Date:

3 Subject: Land use; natural resources; Act 250; expedited process for high
4 unemployment areas

5 Statement of purpose of bill as introduced: This bill proposes to establish an
6 expedited Act 250 permit review process for counties with high unemployment
7 rates.

8 An act relating to an expedited Act 250 permitting process for counties with
9 high unemployment

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

11 Sec. 1. 10 V.S.A. § 6086b is amended to read:

12 § 6086b. ~~DOWNTOWN DEVELOPMENT IN DOWNTOWNS AND~~
13 COUNTIES WITH HIGH UNEMPLOYMENT; FINDINGS

14 (a) Downtown Development. Notwithstanding any provision of this
15 chapter to the contrary, each of the following shall apply to a development or
16 subdivision that is completely within a downtown development district
17 designated under 24 V.S.A. chapter 76A and for which a permit or permit
18 amendment would otherwise be required under this chapter:

19 (1) In lieu of obtaining a permit or permit amendment, a person may
20 request findings and conclusions from the District Commission, which shall

1 approve the request if it finds that the development or subdivision will meet
2 subdivisions 6086(a)(1) (air and water pollution), (2) (sufficient water
3 available), (3) (burden on existing water supply), (4) (soil erosion), (5)
4 (traffic), (8) (aesthetics, historic sites, rare and irreplaceable natural areas),
5 (8)(A) (endangered species; necessary wildlife habitat), (9)(B) (primary
6 agricultural soils), (9)(C) (productive forest soils), (9)(F) (energy
7 conservation), and (9)(K) (public facilities, services, and lands) of this title.

8 * * *

9 (b) Development in counties with high unemployment. During any year in
10 which a county's average unemployment rate for the preceding year was two
11 percent above the average unemployment rate for the State, the option
12 established under subsection (a) of this section shall be available for any
13 development or subdivision completely within that county for which a permit
14 or permit amendment would otherwise be required under this chapter.

15 Sec. 2. 10 V.S.A. 6081(v) is amended to read:

16 (v) A permit or permit amendment shall not be required for a
17 development or subdivision in a designated downtown development district or
18 high unemployment county for which the District Commission has issued
19 positive findings and conclusions under section 6086b of this title on all the
20 criteria listed in that section. A person shall obtain new or amended findings
21 and conclusions from the District Commission under section 6086b of this title

1 prior to commencement of a material change, as defined in the rules of the
2 Board, to a development or subdivision for which the District Commission has
3 issued such findings and conclusions. A person may seek a jurisdictional
4 opinion under section 6007 of this title concerning whether such a change is a
5 material change.

6 Sec. 3. EFFECTIVE DATE

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