

1 TO THE HOUSE OF REPRESENTATIVES:

2 The Committee on Fish, Wildlife & Water Resources to which was referred
3 House Bill No. 676 entitled “An act relating to regulation of land uses within
4 flood hazard zones” respectfully reports that it has considered the same and
5 recommends that the bill be amended by striking Sec. 2 in its entirety and
6 inserting in lieu thereof a new Sec. 2 to read:

7 Sec. 2. 24 V.S.A. § 4413(a) is amended to read:

8 (a)(1) The following uses may be regulated only with respect to location,
9 size, height, building bulk, yards, courts, setbacks, density of buildings,
10 off-street parking, loading facilities, traffic, noise, lighting, landscaping, and
11 screening requirements, and only to the extent that regulations do not have the
12 effect of interfering with the intended functional use:

13 (1)(A) State- or community-owned and operated institutions and
14 facilities.

15 (2)(B) Public and private schools and other educational institutions
16 certified by the ~~state department of education~~ Agency of Education.

17 (3)(C) Churches and other places of worship, convents, and parish
18 houses.

19 (4)(D) Public and private hospitals.

20 (5)(E) Regional solid waste management facilities certified under
21 10 V.S.A. chapter 159.

1 ~~(6)~~(F) Hazardous waste management facilities for which a notice of
2 intent to construct has been received under 10 V.S.A. § 6606a.

3 (2) Except for State-owned and –operated institutions and facilities, a
4 municipality may regulate each of the land uses listed in subdivision (1) of this
5 subsection for compliance with the National Flood Insurance Program and for
6 compliance with a municipal ordinance or bylaw regulating development in a
7 flood hazard area or river corridor, consistent with the requirements of section
8 4424 of this title. These regulations shall not have the effect of interfering with
9 the intended functional use.

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12 (Committee vote: _____)

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Representative [surname]
FOR THE COMMITTEE