

1 TO THE HONORABLE SENATE:

2 The Committee on Economic Development, Housing and General Affairs to
3 which was referred House Bill No. 823 entitled “An act relating to encouraging
4 growth in designated centers and protecting natural resources” respectfully
5 reports that it has considered the same and recommends that the Senate amend
6 the report of the Committee on Natural Resources and Energy by striking out
7 the third proposal of amendment and inserting in lieu thereof a new third
8 proposal of amendment to read:

9 Third: By striking out Sec. 2 in its entirety and inserting in lieu thereof a
10 new Sec. 2 to read:

11 Sec. 2. 10 V.S.A. § 6086 is amended to read:

12 § 6086. ISSUANCE OF PERMIT; CONDITIONS AND CRITERIA

13 (a) Before granting a permit, the ~~district commission~~ District Commission
14 shall find that the subdivision or development:

15 * * *

16 (5)(A) Will not cause unreasonable congestion or unsafe conditions with
17 respect to use of the highways, waterways, railways, airports and airways, and
18 other means of transportation existing or proposed.

19 (B) As appropriate, will incorporate transportation demand
20 management strategies and provide safe access and connections to adjacent
21 lands and facilities and to existing and planned pedestrian, bicycle, and transit

1 networks and services. In determining appropriateness under this subdivision
2 (B), the District Commission shall consider whether such a strategy, access, or
3 connection constitutes a measure that a reasonable person would take given the
4 type, scale, and transportation impacts of the proposed development or
5 subdivision.

6 * * *

7 (9) Is in conformance with a duly adopted capability and development
8 plan, and land use plan when adopted. However, the legislative findings of
9 subdivisions 7(a)(1) through (19) of Act 85 of 1973 shall not be used as criteria
10 in the consideration of applications by a ~~district commission~~ District
11 Commission.

12 * * *

13 ~~(L) Rural growth areas. A permit will be granted for the~~
14 ~~development or subdivision of rural growth areas when it is demonstrated by~~
15 ~~the applicant that in addition to all other applicable criteria provision will be~~
16 ~~made in accordance with subdivisions (9)(A) “impact of growth,” (G) “private~~
17 ~~utility service,” (H) “costs of scattered development” and (J) “public utility~~
18 ~~services” of subsection (a) of this section for reasonable population densities,~~
19 ~~reasonable rates of growth, and the use of cluster planning and new community~~
20 ~~planning designed to economize on the cost of roads, utilities and land usage.~~
21 Settlement patterns. To promote Vermont’s historic settlement pattern of

1 compact village and urban centers separated by rural countryside, a permit will
2 be granted for a development or subdivision outside an existing settlement
3 when it is demonstrated by the applicant that, in addition to all other applicable
4 criteria, the development or subdivision:

5 (i) will make efficient use of land, energy, roads, utilities, and
6 other supporting infrastructure; and

7 (ii) (I) will not contribute to a pattern of strip development along
8 public highways; or

9 (II) if the development or subdivision will be located in an area
10 that already constitutes strip development, will incorporate infill as defined in
11 24 V.S.A. § 2791 and is designed to reasonably minimize the characteristics
12 listed in the definition of strip development under subdivision 6001(36) of this
13 title.

14

15

16 (Committee vote: _____)

17

18

Senator _____

19

FOR THE COMMITTEE