

1 H.606

2 Introduced by Representative Krebs of South Hero

3 Referred to Committee on

4 Date:

5 Subject: Conservation and development; natural resources; land use; Act 250;
6 settlement patterns

7 Statement of purpose of bill as introduced: This bill proposes to allow an
8 applicant for a land use permit under 10 V.S.A. chapter 151 (Act 250) relief
9 from the settlement patterns criterion if physical constraints prevent siting the
10 development in an existing settlement or other location in the county.

11 An act relating to relief from the settlement patterns criterion due to
12 physical site constraints

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

14 Sec. 1. 10 V.S.A. § 6086(a)(9)(L) is amended to read:

15 (L) Settlement patterns. To promote Vermont's historic settlement
16 pattern of compact village and urban centers separated by rural countryside, a
17 permit will be granted for a development or subdivision outside an existing
18 settlement when it is demonstrated by the applicant that, in addition to all other
19 applicable criteria, the development or subdivision:

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

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

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

10 (iii) in lieu of demonstrating compliance under subdivisions (i)
11 and (ii) of this subdivision (L), cannot be sited at another location within the
12 same county due to physical site constraints, such as lack of wastewater
13 capacity, that render siting the development or subdivision at such other
14 location technically infeasible.

15 Sec. 2. EFFECTIVE DATE

16 This act shall take effect on July 1, 2016.