

**10 V.S.A. § 6086(a)(9)(L)**

**§ 6086. ISSUANCE OF PERMIT; CONDITIONS AND CRITERIA**

(a) Before granting a permit, the District Commission shall find that the subdivision or development:

\* \* \*

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

\* \* \*

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

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

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

(II) if the development or subdivision will be confined to an area that already constitutes strip development, will incorporate infill as defined in 24 V.S.A. § 2791 and is designed to reasonably minimize the

characteristics listed in the definition of strip development under subdivision 6001(36) of this title.

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## **24 V.S.A. § 2791**

### § 2791. DEFINITIONS

As used in this chapter:

\* \* \*

(20) "Infill" means the use of vacant land or property within a built-up area for further construction or development.

## **10 V.S.A. § 6001(36)**

### § 6001. DEFINITIONS

In this chapter:

\* \* \*

(36) "Strip development" means linear commercial development along a public highway that includes three or more of the following characteristics: broad road frontage, predominance of single-story buildings, limited reliance on shared highway access, lack of connection to any existing settlement except by highway, lack of connection to surrounding land uses except by highway, lack of coordination with surrounding land uses, and limited accessibility for pedestrians. In determining whether a proposed development or subdivision constitutes strip development, the District Commission shall consider the topographic constraints in the area in which the development or subdivision is to be located.

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