

1 TO THE HOUSE OF REPRESENTATIVES:

2 The Committee on General, Housing, and Military Affairs to which was
3 referred Senate Bill No. 237 entitled “An act relating to promoting affordable
4 housing” respectfully reports that it has considered the same and recommends
5 that the House propose to the Senate that the bill be amended by striking out all
6 after the enacting clause and inserting in lieu thereof the following:

7 * * * Municipal Zoning * * *

8 Sec. 1. 24 V.S.A. § 4412 is amended to read:

9 § 4412. REQUIRED PROVISIONS AND PROHIBITED EFFECTS

10 Notwithstanding any existing bylaw, the following land development
11 provisions shall apply in every municipality:

12 (1) Equal treatment of housing and required provisions for affordable
13 housing.

14 * * *

15 (E) Except for flood hazard and fluvial erosion area bylaws adopted
16 pursuant to section 4424 of this title, no bylaw shall have the effect of
17 excluding as a permitted use one accessory dwelling unit that is located within
18 or appurtenant to ~~an owner-occupied~~ a single-family dwelling on an owner-
19 occupied lot. A bylaw may require a single-family dwelling with an accessory
20 dwelling unit to be subject to the same review, dimensional, or other controls
21 as required for a single-family dwelling without an accessory dwelling unit.

1 An accessory dwelling unit means ~~an efficiency or one-bedroom apartment a~~
2 distinct unit that is clearly subordinate to a single-family dwelling, and has
3 facilities and provisions for independent living, including sleeping, food
4 preparation, and sanitation, provided there is compliance with all the
5 following:

- 6 (i) The property has sufficient wastewater capacity.
- 7 (ii) The unit does not exceed 30 percent of the total habitable floor
8 area of the single-family dwelling or 900 square feet, whichever is greater.
- 9 ~~(iii) Applicable setback, coverage, and parking requirements~~
10 ~~specified in the bylaws are met.~~

11 (F) Nothing in subdivision (a)(1)(E) of this section shall be construed
12 to prohibit:

- 13 (i) a bylaw that is less restrictive of accessory dwelling units; or
- 14 (ii) a bylaw that ~~requires conditional use review for one or more of~~
15 ~~the following that is involved in creation of an accessory dwelling unit:~~
- 16 ~~(I) a new accessory structure;~~
- 17 ~~(II) an increase in the height or floor area of the existing~~
18 ~~dwelling; or~~
- 19 ~~(III) an increase in the dimensions of the parking areas~~
20 regulates short-term rental units distinctly from residential rental units.

21 * * *

1 (2) Existing small lots. Any lot that is legally subdivided, is in
2 individual and separate and nonaffiliated ownership from surrounding
3 properties, and is in existence on the date of enactment of any bylaw, including
4 an interim bylaw, may be developed for the purposes permitted in the district
5 in which it is located, even though the small lot no longer conforms to
6 minimum lot size requirements of the new bylaw or interim bylaw.

7 (A) A municipality may prohibit development of a lot not served by
8 and able to connect to municipal sewer and water service if either of the
9 following applies:

10 (i) the lot is less than one-eighth acre in area; or

11 (ii) the lot has a width or depth dimension of less than 40 feet.

12 * * *

13 Sec. 2. 24 V.S.A. § 4414 is amended to read:

14 § 4414. ZONING; PERMISSIBLE TYPES OF REGULATIONS

15 * * *

16 (3) Conditional uses.

17 (A) In any district, certain uses may be allowed only by approval of
18 the appropriate municipal panel, if general and specific standards to which
19 each allowed use must conform are prescribed in the appropriate bylaws and if
20 the appropriate municipal panel, under the procedures in subchapter 10 of this
21 chapter, determines that the proposed use will conform to those standards.

1 These general standards shall require that the proposed conditional use shall
2 not result in an undue adverse effect on any of the following:

3 (i) The capacity of existing or planned community facilities.

4 (ii) The character of the area affected, as defined by the purpose or
5 purposes of the zoning district within which the project is located, and
6 specifically stated policies and standards of the municipal plan.

7 (iii) Traffic on roads and highways in the vicinity.

8 (iv) Bylaws and ordinances then in effect.

9 (v) Utilization of renewable energy resources.

10 * * *

11 (E) A multiunit dwelling project consisting of four or fewer units
12 located in a district allowing multiunit dwellings may not be denied solely due
13 to an undue adverse effect on the character of the area affected.

14 * * *

15 Sec. 3. 24 V.S.A. § 2291 is amended to read:

16 § 2291. ENUMERATION OF POWERS

17 For the purpose of promoting the public health, safety, welfare, and
18 convenience, a town, city, or incorporated village shall have the following
19 powers:

20 * * *

1 (29) To regulate by means of an ordinance or bylaw the operation of
2 short-term rentals within the municipality, provided that the ordinance or
3 bylaw does not adversely impact the availability of long-term rental housing.
4 As used in this subdivision, “short-term rental” means a furnished house,
5 condominium, or other dwelling room or self-contained dwelling unit rented to
6 the transient, traveling, or vacationing public for a period of fewer than
7 30 consecutive days and for more than 14 days per calendar year.

8 * * * Mobile Home Parks * * *

9 Sec. 4. MOBILE HOME PARK INFRASTRUCTURE

10 (a) The Department of Environmental Conservation shall:

11 (1) assist the Town of Brattleboro and the Tri-Park Cooperative in the
12 implementation of the Tri-Park Master Plan and Deerfield River & Lower
13 Connecticut River Tactical Basin Plan, including through restructuring or
14 forgiveness of State Revolving Loans RF1-104 and RF3-163 and additional
15 loans to the extent possible, to allow for improvements to drinking water,
16 wastewater, and stormwater infrastructure needs;

17 (2) provide similar assistance to the extent possible to similarly situated
18 mobile home parks that also have infrastructure needs; and

19 (3) identify statutory and programmatic changes necessary to assist in
20 the implementation of the plans and to improve access and terms by mobile

1 home parks to the Clean Water Revolving Loan Fund, Water Infrastructure
2 Sponsorship Program and the Drinking Water State Revolving Fund.

3 (b) On or before January 15, 2021, the Department shall report on actions
4 taken and recommendations for statutory or programmatic changes to the
5 Senate Committees on Economic Development, Housing and General Affairs
6 and on Institutions and to the House Committees on General, Housing, and
7 Military Affairs and on Corrections and Institutions.

8 Sec. 5. 10 V.S.A. § 10 is amended to read:

9 § 10. VERMONT STATE TREASURER; CREDIT FACILITY FOR LOCAL

10 INVESTMENTS

11 (a) Notwithstanding any provision of 32 V.S.A. § 433(a) to the contrary,
12 the Vermont State Treasurer shall have the authority to establish a credit
13 facility of up to 10 percent of the State's average cash balance on terms
14 acceptable to the Treasurer and consistent with prudent investment principles
15 and guidelines pursuant to 32 V.S.A. § 433(b)–(c) and the Uniform Prudent
16 Investor Act, 14A V.S.A. chapter 9.

17 (b) ~~The amount authorized in subsection (a) of this section shall include all~~
18 ~~credit facilities authorized by the General Assembly and established by the~~
19 ~~Treasurer, and the renewal or replacement of those credit facilities. The~~
20 Treasurer may use amounts available under this section to provide financing
21 for infrastructure projects in Vermont mobile home parks and may modify the

1 terms of such financing in his or her discretion as is necessary to promote the
2 availability of mobile home park housing and to protect the interests of the
3 State.

4 * * * Effective Date * * *

5 Sec. 6. EFFECTIVE DATE

6 This act shall take effect on passage.

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13 (Committee vote: _____)

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Representative _____

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FOR THE COMMITTEE