

Summary of S.237 As passed the House

Prepared by Ellen Czajkowski, Legislative Counsel, September 23, 2020

Secs. 1-4 are related to municipal zoning

Sec. 1 makes changes to 24 V.S.A. § 4412, the section on municipal zoning bylaws, including:

- Amending the definition of accessory dwelling unit (ADU) by removing the requirements that it must be an owner-occupied building (now owner-occupied lot) and have one bedroom or fewer. It also allows the size of the ADUs to be 30% of the single-family dwelling or 900 square feet, whichever is greater.
- A municipality may ban development on existing lots smaller than 1/8 acre in size if the lot is unable to connect to municipal sewer and water and has a width or depth of less than 40 ft.

Sec. 2 states that when conducting a conditional use review in a district that allows multiunit dwellings, a municipality can't deny four-unit dwellings based solely on the character of the area. (They can be denied for other reasons.)

Sec. 3 authorizes municipalities to adopt ordinances to regulate short term rentals, provided that the ordinance or bylaw does not adversely impact the availability of long-term rental housing.

Sec. 4 adds a new section to Title 27, the Property title, that states that any deed restrictions or covenants added to deeds after January 1, 2021 are invalid if they prohibit land development allowed under a town's bylaws. Deed restrictions that prohibit things that are otherwise allowed under town bylaws are invalid. It does not affect conservation easements or housing subsidy covenants.

Secs. 5-6 are related to mobile home parks

Sec. 5 directs DEC to assist the Town of Brattleboro and the Tri-Park Cooperative in implementing Tri-Park's master plan, including through loan forgiveness or restructuring, to allow for improvements to infrastructure, to provide similar assistance to other parks, and to identify changes necessary to expand State assistance from certain special Funds. DEC shall report back by January 15, 2021 on recommendations and actions taken.

Sec. 6 authorizes the Treasurer to use funds available through the credit facility for local investments to provide financing for mobile home park infrastructure projects.

Effective Date

Sec. 7 states that the bill goes into effect on passage.