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H.687

Representative Bongartz of Manchester moves that the report of the Committee on Environment and Energy be amended as follows:

First: By adding a new section to be Sec. 23a to read as follows:

Sec. 23a. 10 V.S.A. § 6001(3)(D) is amended to read:

(D) The word “development” does not include:

* * *

(iii) The construction and operation of a retail space of up to 1,000 square feet on a farm for the sale of agricultural products grown on a farm and products that name, describe, or promote the farm or farm retail operation, including merchandise or apparel that features the farm or farm retail operation. As used in this subdivision (iii), “farm” means a parcel or parcels owned, leased, or managed by a person, devoted primarily to farming, and subject to the required agricultural practices adopted pursuant to 6 V.S.A. chapter 215, subchapter 2. For leased lands to be part of a farm, the lessee must exercise control over the lands to the extent they would be considered as part of the lessee’s own farm. Indicators of such control include whether the lessee makes day-to-day decisions concerning the cultivation or other farming-related use of the leased lands and whether the lessee manages the land for farming during the lease period.

* * *

1 Second: By adding a new section to be Sec. 23b to read as follows:

2 Sec. 23b. 24 V.S.A. § 4412(11) is amended to read:

3 (11) Accessory on-farm businesses. No bylaw shall have the effect of
4 prohibiting an accessory on-farm business at the same location as a farm.

5 (A) Definitions. As used in this subdivision (11):

6 (i) “Accessory on-farm business” means activity that is accessory
7 to a farm and comprises one or both of the following:

8 (I) The storage, preparation, processing, and sale of qualifying
9 products, provided that ~~more than 50 percent of the total annual sales are from~~
10 the qualifying products that are produced on the a farm at which the business is
11 located and the sale of products that name, describe, or promote the farm or
12 accessory on-farm business, including merchandise or apparel that features the
13 farm or accessory on-farm business.

14 (II) Educational, recreational, or social events that feature
15 agricultural practices or qualifying products, or both. Such events may include
16 tours of the farm, farm stays, tastings and meals featuring qualifying products,
17 and classes or exhibits in the preparation, processing, or harvesting of
18 qualifying products. As used in this subdivision (II), “farm stay” means a paid,
19 overnight guest accommodation on a farm for the purpose of participating in
20 educational, recreational, or social activities on the farm that feature

1 agricultural practices or qualifying products, or both. A farm stay includes the
2 option for guests to participate in such activities.

3 * * *

4 Third: In Sec. 24, 10 V.S.A. § 6001(3)(A)(xii), by striking out “July 1,
5 2024” and inserting in lieu thereof “July 1, 2026”

6 Fourth: In Sec. 29, 10 V.S.A. § 6034, in subdivision (a)(1), by striking out
7 “January 1, 2027” and inserting in lieu thereof “January 1, 2026”

8 Fifth: By striking out Sec. 53, effective dates, in its entirety and inserting in
9 lieu thereof a new Sec. 53 to read as follows:

10 Sec. 53. EFFECTIVE DATES

11 This act shall take effect on passage, except that:

12 (1) Secs. 13 (10 V.S.A. chapter 220) and 14 (4 V.S.A. § 34) shall take
13 effect on October 1, 2026;

14 (2) Secs. 19 (10 V.S.A. § 6001), 20 (10 V.S.A. § 6086(a)(8)), and 26 (10
15 V.S.A. § 6001) shall take effect on December 31, 2026;

16 (3) Sec. 24 (10 V.S.A. § 6001(3)(A)(xii) shall take effect on July 1,
17 2026; and

18 (4) Sec. 46 (repeal) shall take effect on January 1, 2027.