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S.100

Senator Ram Hinsdale of Chittenden-Southeast District moves that the report of the Committee on Natural Resources and Energy be amended as follows:

First: In Sec. 2, 24 V.S.A. § 4412, in subsection (15), by striking out subdivision (ii) in its entirety and inserting in lieu thereof a new subdivision (ii) to read:

(ii) areas established by the municipality by ordinance or bylaw that:

(I) exclude flood hazard or inundation areas as established by statute, river corridors or fluvial erosion areas as established by statute, shorelands, and wherever year-round residential development is not allowed;

(II) reflect identified service limits established by State regulations or permits, identified capacity constraints, or municipally adopted service and capacity agreements;

(III) exclude areas served by water and sewer to address an identified community-scale public health hazard or environmental hazard;

(IV) exclude areas serving a mobile home park that is not within an area planned for year-round residential growth;

(V) exclude areas serving an industrial site or park;

1 (VI) exclude areas where service lines are located to serve the
2 areas described in subdivisions (III)–(V) of this subdivision (ii), but no
3 connections or expansions are permitted;

4 (VII) modify the zoning provisions allowed under this chapter
5 in areas served by indirect discharge designed for less than 100,000 gallons per
6 day; or

7 (VIII) exclude areas of planned unit development subject to
8 section 4417 of this title or transfer of development rights subject to section
9 4423 of this title.

10 Second: In Sec. 4, 24 V.S.A. § 4303, by striking out subsection (40) in its
11 entirety and by inserting in lieu thereof a new subsection (40) to read as
12 follows:

13 (40) “Emergency shelter” means any facility, the primary purpose of
14 which is to provide a temporary shelter for the homeless in general or for
15 specific populations of the homeless and that does not require occupants to
16 sign leases or occupancy agreements, and which is regulated by the Agency of
17 Human Services to incorporate wrap around support services to meet the needs
18 of those who use the emergency shelter.

19 Third: In Sec. 6, 24 V.S.A. § 4465, in subdivision (4), by adding a new
20 sentence after the first sentence to read as follows:

1 In this subdivision, a particularized interest shall not include the character
2 of the area affected.

3 Fourth: In Sec. 17a, 10 V.S.A. § 6081, by adding new subsections (z) and
4 (aa) to read as follows:

5 (z) No permit or permit amendment is required for the construction of
6 housing units or priority housing units subject to section 6001 (3)(A)(xi) and
7 (3)(D)(viii)(III) of this title.

8 (aa) No permit amendment is required for the construction of
9 improvements for 9 units or fewer of housing if the existing permit is for a
10 commercial or industrial purpose.