

1 H.687

2 Senators Ram Hinsdale, Bray, Chittenden, Clarkson, Cummings, Harrison,
3 McCormack, Watson and White move that the Senate concur in the House
4 proposal of amendment to the Senate Proposal of Amendment with further
5 amendment as follows:

6 First: In Sec. 22, Tier 3 rulemaking, in subsection (a), after “be added to the
7 definition;” by inserting measures to ensure that no municipality or region is
8 disproportionately impacted by Tier 3 designation that would limit reasonable
9 opportunities for Tier 1 or Tier 2 designations;

10 Second: By striking out Sec. 25a, 2023 Acts and Resolves No. 47, Sec.
11 16a, in its entirety.

12 Third: In Sec. 27, 10 V.S.A. § 6033, in subdivision (c)(6), after “municipal
13 staff” by inserting , municipal officials,

14 Fourth: In Sec. 28, 10 V.S.A. § 6034, in subdivision (b)(1), by striking out
15 subdivision (H) in its entirety and inserting in lieu thereof a new subdivision
16 (H) to read as follows:

17 (H) Public water and wastewater systems **or planned improvements**
18 have the capacity to support additional development within the Tier 1A area.

19 Fifth: By striking out Sec. 29, Tier 1A area guidelines, in its entirety and
20 inserting in lieu thereof a new Sec. 29 to read as follows:

1 Sec. 29. TIER 1A AREA GUIDELINES

2 On or before January 1, 2026, the Land Use Review Board shall publish
3 guidelines to direct municipalities seeking to obtain the Tier 1A area status.

4 The guidelines shall include how a municipality shall demonstrate that
5 improvements are planned for a public water or wastewater system and at what
6 stage in the planning process the improvements need to be.

7 Sixth: In Sec. 31, 10 V.S.A. § 6081(dd), by striking out subdivision (2) in
8 its entirety and inserting in lieu thereof a new subdivision (2) to read as
9 follows:

10 (2)(A) Notwithstanding any other provision of law to the contrary, until
11 July 1, 2027, no permit or permit amendment is required for the construction of
12 housing projects such as cooperatives, condominiums, dwellings, or mobile
13 homes, with 50 or fewer units, constructed or maintained on a tract or tracts of
14 land of 10 acres or less, located entirely within:

15 (i) areas of a designated village center and within one-quarter mile
16 of its boundary with permanent zoning and subdivision bylaws and served by
17 public sewer or water services or soils that are adequate for wastewater
18 disposal; or

19 (ii) areas of a municipality that are within a census-designated
20 urbanized area with over 50,000 residents and within one-quarter mile of a
21 transit route.

1 (B) Housing units constructed pursuant to this subdivision (2) shall
2 not count towards the total units constructed in other areas. This exemption
3 shall not apply to areas within mapped river corridors and floodplains except
4 those areas containing preexisting development in areas suitable for infill
5 development as defined in 29-201 of the Vermont Flood Hazard Area and
6 River Corridor Rule. For purposes of this subdivision (B), in order for a parcel
7 to qualify for the exemption, at least 51 percent of the parcel shall be located
8 within one-quarter mile of the designated village center boundary or the center
9 line of the transit route. If the one-quarter mile extends into an adjacent
10 municipality, the legislative body of the adjacent municipal may inform the
11 Board that it does not want the exemption to extend into that area.

12 Seventh: By striking out Sec. 32, 10 V.S.A. § 6001(50), in its entirety and
13 inserting in lieu thereof a new Sec. 32 to read as follows:

14 Sec. 32. 10 V.S.A. § 6001(50) and (51) are added to read:

15 (50) “Accessory dwelling unit” means a distinct unit that is clearly
16 subordinate to a single-family dwelling, located on an owner-occupied lot and
17 has facilities and provisions for independent living, including sleeping, food
18 preparation and sanitation, provided there is compliance with all of the
19 following:

20 (A) the unit does not exceed 30 percent of the habitable floor area of
21 the single-family dwelling or 900 square feet, whichever is greater; and

1 of the factual bases on which the appropriate municipal panel has made its
2 conclusions and a statement of the conclusions. The minutes of the meeting
3 may suffice, provided the factual bases and conclusions relating to the review
4 standards are provided in conformance with this subsection.

5 * * *

6 Ninth: By adding a new section to be Sec. 59 to read as follows:

7 Sec. 59. 24 V.S.A. § 4465 is amended to read:

8 § 4465. APPEALS OF DECISIONS OF THE ADMINISTRATIVE OFFICER

9 * * *

10 (b) As used in this chapter, an “interested person” means any one of the
11 following:

12 * * *

13 (4) Any ~~40~~ 20 persons who may be any combination of voters, residents,
14 or real property owners within a municipality listed in subdivision (2) of this
15 subsection who, by signed petition to the appropriate municipal panel of a
16 municipality, the plan or a bylaw of which is at issue in any appeal brought
17 under this title, allege that any relief requested by a person under this title, if
18 granted, will not be in accord with the policies, purposes, or terms of the plan
19 or bylaw of that municipality. This petition to the appropriate municipal panel
20 must designate one person to serve as the representative of the petitioners
21 regarding all matters related to the appeal. For purposes of this subdivision, an

1 appeal shall not include the character of the area affected if the project has a
2 residential component that includes affordable housing.

3 * * *

4 Tenth: By adding a new section to be Sec. 111 to read as follows:

5 Sec. 111. LAND BANK REPORT

6 (a) The Department of Housing and Community Development and the
7 Vermont League of Cities and Towns shall analyze the feasibility of a land
8 bank program that would identify, acquire, and restore to productive use
9 vacant, abandoned, contaminated, and distressed properties. The Department
10 and the League shall engage with local municipalities, regional organizations,
11 community organizations, and other stakeholders to explore:

12 (1) existing authority for public interest land acquisition for
13 redevelopment and use;

14 (2) successful models and best practices for land bank programs in
15 Vermont and other jurisdictions, including local, regional, nonprofit, state, and
16 hybrid approaches that leverage the capacities of diverse communities and
17 organizations within Vermont;

18 (3) potential benefits and challenges to creating and implementing a
19 land bank program in Vermont;

20 (4) alternative approaches to State and municipal land acquisition,
21 including residual value life estates and eminent domain, for purposes of

1 revitalization and emergency land management, including for placement of
2 trailers and other temporary housing;

3 (5) funding mechanisms and resources required to establish and operate
4 a land bank program; and

5 (6) the legal and regulatory framework required to govern a State land
6 bank program.

7 (b) On or before December 15, 2024, the Department of Housing and
8 Community Development and the Vermont League of Cities and Towns shall
9 submit a report to the Senate Committee on Economic Development, Housing
10 and General Affairs and the House Committee on General and Housing with
11 its findings and recommendations, including proposed draft legislation for the
12 establishment and operation of a land bank.