

1 H.687

2 Senator Ram Hinsdale moves that the Senate concur in the House proposal
3 of amendment to the Senate Proposal of Amendment with further amendment
4 as follows:

5 First: By striking out Sec. 25a, 2023 Acts and Resolves No. 47, Sec. 16a, in
6 its entirety.

7 Second: In Sec. 27, 10 V.S.A. § 6033, in subdivision (c)(6), after
8 “municipal staff” by inserting “, municipal official.”

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

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

16 (2)(A) Notwithstanding any other provision of law to the contrary, until
17 July 1, 2028, no permit or permit amendment is required for the construction of
18 housing projects such as cooperatives, condominiums, dwellings, or mobile
19 homes, with 50 or fewer units, constructed or maintained on a tract or tracts of
20 land of 10 acres or less, located entirely within:

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

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

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

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

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

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

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

8 (B) the unit is located within or appurtenant to a single-family
9 dwelling, whether the dwelling is existing or new construction.

10 (51) “Transit route” means a set route or network of routes on which a
11 public transit service as defined in 24 V.S.A. § 5088 operates a regular
12 schedule.

13 Sixth: By adding Sec. 58 to read as follows:

14 Sec. 58. 24 V.S.A. § 4464 is amended to read:

15 § 4464. HEARING AND NOTICE REQUIREMENTS; DECISIONS AND
16 CONDITIONS; ADMINISTRATIVE REVIEW; ROLE OF
17 ADVISORY COMMISSIONS IN DEVELOPMENT REVIEW

18 * * *

19 (b) Decisions.

20 (1) Within 120 days of an application being deemed complete, the
21 appropriate municipal panel shall schedule a hearing on the application. The

1 appropriate municipal panel may recess the proceedings on any application
2 pending submission of additional information. The panel should close the
3 evidence promptly after all parties have submitted the requested information.
4 The panel shall adjourn the hearing and issue a decision within 45 days after
5 the adjournment of the hearing, and failure of the panel to issue a decision
6 within this period shall be deemed approval and shall be effective on the 46th
7 day. Decisions shall be issued in writing and shall include a statement of the
8 factual bases on which the appropriate municipal panel has made its
9 conclusions and a statement of the conclusions. The minutes of the meeting
10 may suffice, provided the factual bases and conclusions relating to the review
11 standards are provided in conformance with this subsection.

12 * * *

13 Seventh: By adding Sec. 59 to read as follows:

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

15 § 4465. APPEALS OF DECISIONS OF THE ADMINISTRATIVE OFFICER

16 * * *

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

19 * * *

20 (4) Any ~~10~~ 20 persons who may be any combination of voters, residents,
21 or real property owners within a municipality listed in subdivision (2) of this

1 subsection who, by signed petition to the appropriate municipal panel of a
2 municipality, the plan or a bylaw of which is at issue in any appeal brought
3 under this title, allege that any relief requested by a person under this title, if
4 granted, will not be in accord with the policies, purposes, or terms of the plan
5 or bylaw of that municipality. This petition to the appropriate municipal panel
6 must designate one person to serve as the representative of the petitioners
7 regarding all matters related to the appeal. For purposes of this subdivision, an
8 appeal shall not include the character of the area affected if the project has a
9 residential component that includes affordable housing.

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