

S.325

Introduced by Committee on Natural Resources and Energy

Date:

Subject: Conservation and development; land use; municipal zoning; housing

Statement of purpose of bill as introduced: This bill proposes to establish a task force to develop a detailed proposal to create residential opportunity overlay districts.

An act relating to studying the creation of model bylaws

It is hereby enacted by the General Assembly of the State of Vermont:

Sec. 1. RESIDENTIAL OPPORTUNITY OVERLAY DISTRICTS; TASK
FORCE

(a) Creation. There is created a task force to develop and recommend a detailed proposal to create residential opportunity overlay districts. These districts would be governed by a code of model zoning bylaws that address all critical land use issues with clear and objective standards. Once codes are developed and published, municipalities would have the option to adopt the codes in areas. In those areas, residential development that meets the requirements of the code would be submitted to a zoning administrator for a certificate of compliance. There would be no hearing or review of residential development applications by an appropriate municipal panel or an appeal.

1 Grants would be available for municipalities seeking to adopt the model code.

2 A State agency would oversee municipal adoption of the code to ensure that
3 the districts would be designed to allow for housing density that would be
4 dense enough to meet that municipality's share of the State's housing targets.

5 (b) Membership. The task force shall have nine members with expertise
6 related to planning and zoning. The members shall be the following:

7 (1) one member of the House, appointed by the Speaker of the House;

8 (2) one member of the Senate, appointed by the President Pro Tempore
9 of the Senate;

10 (3) a representative of the Vermont Association of Planning and
11 Development Agencies;

12 (4) the Commissioner of Housing and Community Development or
13 designee;

14 (5) a representative from the Vermont Natural Resources Council;

15 (6) a representative from the Vermont League of Cities and Towns;

16 (7) a representative from Let's Build Homes;

17 (8) a representative from the affordable housing development
18 community, appointed by the President Pro Tempore of the Senate; and

19 (9) a town planner, appointed by the Speaker of the House.

1 (c) Powers and duties. The task force shall:

2 (1) develop illustrated model codes that use only clear and objective
3 standards for critical land use issues, embed New England town-building
4 principles, and integrate flood and historic protections;

5 (2) propose how these codes will be administered and which entity
6 would oversee them; and

7 (3) recommend the process for how municipalities would adopt these
8 codes.

9 (d) Assistance. The task force shall have the administrative, technical, and
10 legal assistance of the Department of Housing and Community Development.
11 The Department may hire a third-party consultant to assist and staff the task
12 force, which may be funded by monies appropriated by the General Assembly
13 or any grant funding received.

14 (e) Report. On or before December 1, 2026, the task force shall submit a
15 written report to the House Committees on Environment and on General and
16 Housing and the Senate Committees on Economic Development, Housing and
17 General Affairs and on Natural Resources and Energy with its model codes
18 and recommendations for legislative action.

19 (f) Meetings.

20 (1) The Commissioner of Housing and Community Development shall
21 call the first meeting of the task force to occur on or before August 1, 2026.

1 (2) The task force shall elect a chair from among its members at the first
2 meeting.

3 (3) A majority of the membership shall constitute a quorum.

4 (4) The task force shall cease to exist on December 31, 2026.

5 (g) Compensation and reimbursement.

6 (1) For attendance at meetings during adjournment of the General
7 Assembly, a legislative member of the task force serving in the legislator's
8 capacity as a legislator shall be entitled to per diem compensation and
9 reimbursement of expenses pursuant to 2 V.S.A. § 23 for not more than six
10 meetings.

11 (2) Other members of the task force who are not otherwise compensated
12 by their employer shall be entitled to per diem compensation and
13 reimbursement of expenses as permitted under 32 V.S.A. § 1010 for not more
14 than six meetings.

15 (3) The payments under this subsection shall be made from monies
16 appropriated by the General Assembly.

17 Sec. 2. EFFECTIVE DATE

18 This act shall take effect on passage.