

Introduced by Senate 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 designated with Act 250 Tier 1 status. 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. Grants would be available for municipalities

1 seeking to adopt the model code. A State agency would oversee municipal  
2 adoption of the code to ensure that the districts would be designed to allow for  
3 housing density that would be dense enough to meet that municipality's share  
4 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 remaining members shall be the  
7 following:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

18          (f) Meetings.

19               (1) The Commissioner of Housing and Community Development shall  
20               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.