

1 TO THE HONORABLE SENATE:

2 The Committee on Natural Resources and Energy to which was referred
3 Senate Bill No. 325 entitled “An act relating to studying the creation of model
4 bylaws” respectfully reports that it has considered the same and recommends
5 that the bill be amended by striking out all after the enacting clause and
6 inserting in lieu thereof the following:

7 Sec. 1. LEGISLATIVE INTENT

8 The General Assembly finds that 2024 Acts and Resolves No. 181
9 represented a substantial restructuring of Vermont’s land use review
10 framework. This act is intended to provide technical clarification, transitional
11 certainty, and implementation alignment, consistent with the intent of 2024
12 Acts and Resolves No. 181 and without altering its underlying policy goals.

13 Sec. 2. 10 V.S.A. § 6001(3) is amended to read:

14 (3)(A) “Development” means each of the following:

15 * * *

16 (xii) The construction of a road or roads and any associated
17 driveways to provide access to or within a tract of land owned or controlled by
18 a person. For the purposes of determining jurisdiction under this subdivision,
19 any new development or subdivision on a parcel of land that will be provided
20 access by the road and associated driveways is land involved in the
21 construction of the road.

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(III) For the purpose of determining the length of any road and associated driveways, the length of all other roads and driveways within the tract of land constructed after ~~July 1~~ December 31, 2026 2027 shall be included.

* * *

(D) The word “development” does not include:

* * *

(viii)(I) The construction of a priority housing project in a municipality with a population of 10,000 or more.

* * *

(III) Notwithstanding any other provision of law to the contrary, until ~~January 1~~ December 31, 2027, the construction of a priority housing project located entirely within areas of a designated downtown development district, designated neighborhood development area, or a designated growth center or within one-half mile around such designated center with permanent zoning and subdivision bylaws served by public sewer or water services or soils that are adequate for wastewater disposal. For purposes of this subdivision (III), in order for a parcel to qualify for the exemption, at least 51 percent of the parcel shall be located within one-half mile of the designated center boundary. If the one-half mile around the

1 designated center extends into an adjacent municipality, the legislative body of
2 the adjacent ~~municipal~~ municipality may inform the Board that it does not
3 want the exemption to extend into that area. This exemption shall not apply to
4 areas within mapped river corridors and floodplains except those areas
5 containing preexisting development in areas suitable for infill development as
6 defined in 29-201 of the Vermont Flood Hazard Area and River Corridor Rule.

7 Sec. 3. 10 V.S.A. § 6001(35) is amended to read:

8 (35) “Priority housing project” means a discrete project located on a
9 single tract or multiple contiguous tracts of land that consists exclusively of
10 mixed income housing or mixed use, or any combination thereof, and is
11 located entirely within designated downtown development district, designated
12 new town center, designated growth center, or designated neighborhood
13 development area, or within an area mapped as a eligible for Tier 1B area
14 status and is not currently approved for Tier 1B area status under section 6033
15 of this chapter. The municipality shall have a regionally approved plan and
16 permanent zoning and subdivision bylaws.

17 Sec. 4. 10 V.S.A. § 6081 is amended to read:

18 § 6081. PERMITS REQUIRED; EXEMPTIONS

19 * * *

20 (z)(1) Notwithstanding any other provision of this chapter to the contrary,
21 no permit or permit amendment is required for any subdivision, development,

1 or change to an existing project that is located entirely within a Tier 1A area
2 under section 6034 of this chapter.

3 * * *

4 (3) Upon receiving notice and a copy of the permit issued by an
5 appropriate municipal panel pursuant to 24 V.S.A. § 4460(g), a previously
6 issued permit for a development or subdivision located in a Tier 1A area shall
7 remain attached to the property. However, neither the Board nor the Agency
8 of Natural Resources shall enforce the permit or assert amendment jurisdiction
9 on the tract or tracts of land unless the designation is revoked or the
10 municipality has not taken any reasonable action to enforce the conditions of
11 the permit.

12 * * *

13 (bb) Until ~~July~~ January 1, 2028 2030, no permit or permit amendment is
14 required for the construction of improvements for one accessory dwelling unit
15 constructed within or appurtenant to a single-family dwelling. Units
16 constructed pursuant to this subsection shall not count towards the total units
17 constructed in other projects.

18 (cc) Until ~~July~~ January 1, 2028 2030, no permit or permit amendment is
19 required for the construction of improvements for converting a structure used
20 for a commercial purpose to 29 or fewer housing units.

21 (dd) Interim housing exemptions.

1 (1) Notwithstanding any other provision of law to the contrary, until
2 January 1, ~~2027~~ 2030, no permit or permit amendment is required for the
3 subdivision for or the construction of housing projects such as cooperatives,
4 condominiums, dwellings, or mobile homes, and mixed-use development, with
5 75 units or fewer, constructed or maintained on a tract or tracts of land, located
6 entirely within the areas of a designated new town center, a designated growth
7 center, or a designated neighborhood development area served by public sewer
8 or water services or soils that are adequate for wastewater disposal. Housing
9 units constructed pursuant to this subdivision shall not count towards the total
10 units constructed in other areas. This exemption shall not apply to areas within
11 mapped river corridors and floodplains except those areas containing
12 preexisting development in areas suitable for infill development as defined in
13 29-201 of the Vermont Flood Hazard Area and River Corridor Rule.

14 (2)(A) Notwithstanding any other provision of law to the contrary, until
15 ~~July~~ January 1, ~~2027~~ 2030, no permit or permit amendment is required for the
16 subdivision for or the construction of housing projects such as cooperatives,
17 condominiums, dwellings, or mobile homes, and mixed-use development, with
18 50 or fewer units, constructed or maintained on a tract or tracts of land of 10
19 acres or less, located entirely within:

20 (i) areas of a designated village center and within one-quarter mile
21 of its boundary with permanent zoning and subdivision bylaws and served by

1 public sewer or water services or soils that are adequate for wastewater
2 disposal; or

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

6 * * *

7 (3) Notwithstanding any other provision of law to the contrary, until
8 January 1, ~~2027~~ 2030, no permit or permit amendment is required for the
9 subdivision for or the construction of housing projects such as cooperatives,
10 condominiums, dwellings, or mobile homes, and mixed-use development,
11 constructed or maintained on a tract or tracts of land, located entirely within a
12 designated downtown development district with permanent zoning and
13 subdivision bylaws served by public sewer or water services or soils that are
14 adequate for wastewater disposal. Housing units constructed pursuant to this
15 subdivision shall not count towards the total units constructed in other areas.
16 This exemption shall not apply to areas within mapped river corridors and
17 floodplains except those areas containing preexisting development in areas
18 suitable for infill development as defined in 29-201 of the Vermont Flood
19 Hazard Area and River Corridor Rule.

20 Sec. 5. 2024 Acts and Resolves No. 181, Sec. 22 is amended to read:

21 Sec. 22. TIER 3 RULEMAKING

1 (a) The Land Use Review Board, in consultation with the Secretary of
2 Natural Resources, shall adopt rules to implement the requirements for the
3 administration of 10 V.S.A. § 6001(3)(A)(xiii) and 10 V.S.A. § 6001(46) and
4 (19). It is the intent of the General Assembly that these rules identify critical
5 natural resources for protection. The Board shall review the definition of Tier
6 3 area; determine the critical natural resources that shall be included in Tier 3,
7 giving due consideration to river corridors, headwater streams, habitat
8 connectors of statewide significance, riparian areas, class A waters, and natural
9 communities; **determine** any additional critical natural resources that should be
10 added to the definition; **include** measures to ensure that no municipality or
11 region is disproportionately impacted by Tier 3 designation that would limit
12 reasonable opportunities for Tier 1 or Tier 2 designations; **determine which**
13 **criteria under 10 V.S.A. § 6086(a)(1)-(10) should be part of Tier 3 review;** and
14 **determine** how to define the boundaries. Rules adopted by the Board shall
15 include:

16 * * *

17 (c) The Board shall file a final proposed rule with the Secretary of State
18 and the Legislative Committee on Administrative Rules on or before ~~February~~
19 ~~4 December 31, 2026~~ 2027. After the Land Use Review Board files the rule
20 with the Legislative Committee on Administrative Rules, it shall submit a
21 report describing the rules and the issues reviewed under this section the House

1 Committee on Environment and Energy and the Senate Committee on Natural
2 Resources and Energy. On or before December 15, 2026, the Board shall also
3 submit a report to those committees recommending necessary changes to how
4 10 V.S.A. § 6086 should be administered for permits issued in Tier 3 areas.

5 * * *

6 **Sec. 6. ROAD JURISDICTION RECOMMENDATIONS**

7 On or before January 15, 2027, the Land Use Review Board shall provide
8 the General Assembly with recommendations for statutory changes, consistent
9 with the intent of 10 V.S.A. § 6001(3)(A)(xii), that would give the Board
10 authority to adopt rules establishing a process to limit the criteria that to apply
11 to road development pursuant to 10 V.S.A. § 6001(3)(A)(xii).

12 Sec. 7. 10 V.S.A. § 6034 is amended to read:

13 § 6034. TIER 1A AREA STATUS

14 * * *

15 (b) Tier 1A area status requirements.

16 (1) To obtain a Tier 1A area status under this section, a municipality
17 shall demonstrate to the Board that it has each of the following:

18 * * *

19 (G) The municipality has identified and planned for the maintenance
20 of significant natural communities, rare, threatened, and endangered species
21 located in the Tier 1A area or excluded those areas from the Tier 1A area.

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Sec. 8. 24 V.S.A. § 4460 is amended to read:

§ 4460. APPROPRIATE MUNICIPAL PANELS

(g)(1) This subsection shall apply to a subdivision or development that:

- (A) was previously permitted pursuant to 10 V.S.A. chapter 151;
- (B) is located in a Tier 1A area pursuant to 10 V.S.A. § 6034; and
- (C) has applied for a permit or permit amendment required by zoning

regulations or bylaws adopted pursuant to this subchapter.

(2) The appropriate municipal panel reviewing a municipal permit or

permit amendment pursuant to this subsection shall include conditions
contained within a permit previously issued pursuant to 10 V.S.A. chapter 151.

so that the conditions may be enforced as part of the municipal permit. unless

the panel determines that the permit condition pertains to any of the following:

- (A) the construction phase of the project that has already been
- constructed;
- (B) compliance with another State permit that has independent
- jurisdiction;
- (C) federal or State law that is no longer in effect or applicable;

(D) an issue that is addressed by municipal regulation and the project

will meet the municipal standards; or

1 (E) a physical or use condition that is no longer in effect or
2 applicable or that will no longer be in effect or applicable once the new project
3 is approved.

4 (3) After issuing or amending a permit containing conditions pursuant to
5 this subsection, the appropriate municipal panel shall provide notice and a
6 copy of the permit to the Land Use Review Board.

7 (4) The appropriate municipal panel shall comply with the notice and
8 hearing requirements provided in subdivision 4464(a)(1) of this title. In
9 addition, notice shall be provided to those persons requiring notice under
10 10 V.S.A. § 6084(b) and shall explicitly reference the existing Act 250 permit.

11 (5) The appropriate municipal panel’s decision shall be issued in
12 accordance with subsection 4464(b) of this title and shall include specific
13 findings with respect to its determinations pursuant to subdivision (2) of this
14 subsection.

15 (6) Any final action by the appropriate municipal panel affecting a
16 condition of a permit previously issued pursuant to 10 V.S.A. chapter 151 shall
17 be recorded in the municipal land records.

18 ~~(h) Within a Tier 1A area, the appropriate municipal panel shall enforce~~
19 ~~any existing permits issued under 10 V.S.A. chapter 151 that has not had its~~
20 ~~permit conditions transferred to a municipal permit pursuant to subsection (g)~~
21 ~~of this section.~~

1 projects. The report shall also identify the most commonly raised issues on
2 appeal; evaluate statutory or procedural tools to limit duplicative or non-
3 material appeals; and recommend legislative action needed, if any. The report
4 shall be submitted to the House Committee on Environment and the Senate
5 Committee on Natural Resources and Energy.

6 **Sec. 12. 24 V.S.A. § 4348 is amended to read:**

7 § 4348. ADOPTION AND AMENDMENT OF REGIONAL PLAN

8 * * *

9 (b) ~~60~~ Sixty days prior to holding the first public hearing on a regional
10 plan, a regional planning commission shall submit a draft regional plan to the
11 Land Use Review Board for review and comments related to conformance of
12 the draft with sections 4302 and 4348a of this title and chapter 139 of this title.
13 The Board shall coordinate with other State agencies and the Community
14 Investment Board, and respond within 60 days unless more time is granted by
15 the regional planning commission.

16 (c) The regional planning commission shall hold two or more public
17 hearings within the region after public notice on any proposed plan ~~or~~
18 ~~amendment~~. The minimum number of required public hearings may be
19 specified within the bylaws of the regional planning commission.

20 * * *

1 (h)(1) Within 15 days following adoption, a regional planning commission
2 shall submit its regionally adopted regional plan to the Land Use Review
3 Board for a determination of regional plan compliance with a report
4 documenting conformance with the goals established in section 4302 of this
5 chapter and the plan elements established in section 4348a of this chapter and a
6 description of any changes to the regional plan future land use map.

7 * * *

8 (4) The Land Use Review Board’s affirmative determination shall be
9 based upon finding the regional plan meets the following requirements:

10 * * *

11 (D) Compatibility with adjacent regional planning areas in the
12 manner described under subdivision 4302(f)(2) of this chapter.

13 * * *

14 (j) Minor amendments to regional plan future land use map. A regional
15 planning commission may submit a request for a minor amendment to
16 boundaries of a future land use area for consideration by the Land Use Review
17 Board with a letter of support from the municipality. The request may only be
18 submitted after an affirmative vote of the municipal legislative body and the
19 regional planning commission board. The Land Use Review Board, after
20 consultation with the Community Investment Board and the regional planning
21 commissions, shall provide guidance about what constitutes a minor

1 amendment. Minor amendments may include any change to a future land use
2 area consisting of fewer than 10 acres. A minor amendment to a future land
3 use area shall not require an amendment to a regional plan and shall be
4 included in the next iteration of the regional plan. The Board may adopt rules
5 to implement this section.

6 * * *

7 (n) Regional plan amendments, non-minor future land use map
8 amendments, and Tier 1B area status requests. Regional plans may be
9 reviewed from time to time and may be amended in the light of new
10 developments and changed conditions affecting the region. Non-minor future
11 land use map amendments shall be processed as part of a regional plan
12 amendment. Tier 1B area status requests may be made separate from the
13 regional plan approval or amendment process.

14 (1) Process.

15 (A) To amend a regional plan, which may include a non-minor future
16 land use map amendment, a regional planning commission shall hold one
17 public hearing. At least 15 days in advance of the hearing the regional
18 planning commission shall provide notice of the public hearing to parties listed
19 in 4348(d)(1) and the Land Use Review Board. The public hearing notice shall
20 include a description of changes to the plan including non-minor amendments
21 to future land use maps, or any changes to Tier 1B status.

1 (12) as appropriate and any other special land use category the regional
2 planning commission deems necessary; descriptions of intended future land
3 uses; consistent with the smart growth principles in chapter 139 of this title;
4 and policies intended to support the implementation of the future land use
5 element using the following land use categories:

6 (A) Downtown or village centers. These areas are the mixed-use
7 centers bringing together community economic activity and civic assets. They
8 include downtowns, villages, and new town centers previously designated
9 under chapter 76A and downtowns and village centers seeking benefits under
10 the Community Investment Program under section 5804 of this title. The
11 downtown or village centers are the traditional and historic central business,
12 and civic centers within planned growth areas, village areas, or may stand
13 alone. Municipalities may have more than one center, including planned new
14 or emerging centers that anchor planned growth or village areas. Village
15 centers are not required to have public water, wastewater, zoning, or
16 subdivision bylaws. It is the intent that every town in Vermont may have at
17 least a one village center in which additional housing units are supported.

18 (B) Planned growth areas. These areas include the high-density
19 existing settlement and future growth areas with high concentrations of
20 population, housing, and employment in each region and town, as appropriate.
21 They include a mix of historic and nonhistoric commercial, residential, and

1 civic or cultural sites with active streetscapes, supported by land development
2 regulations; public water or wastewater, or both; and multimodal transportation
3 systems. These areas include ~~new town centers, downtowns, village centers,~~
4 growth centers, and neighborhood development areas previously designated
5 under chapter 76A of this title. These areas should generally meet ~~the smart~~
6 ~~growth principles definition in chapter 139 of this title and the following~~
7 criteria:

8 * * *

9 (iii) The area ~~is~~ generally within walking distance from the
10 municipality's or an adjacent municipality's downtown; or village center; ~~new~~
11 ~~town center, or growth center.~~

12 * * *

13 (vi) The area provides ~~for~~ opportunity for development, infill
14 development and redevelopment that is needed to meet the regional and
15 municipal housing targets that meets the present and future needs of a diversity
16 of social and income groups in the community.

17 (vii) The area is served by planned or existing transportation
18 infrastructure that conforms with “complete streets” principles as described
19 under 19 V.S.A. chapter 24 ~~and establishes pedestrian access directly to the~~
20 ~~downtown, village center, or new town center.~~ Planned transportation

1 infrastructure includes those investments included in the municipality’s capital
2 improvement program pursuant to section 4430 of this title.

3 (C) Village areas. These areas include the traditional settlement area
4 or a proposed new settlement area, typically composed of a cohesive mix of
5 residential, civic, religious, commercial, ~~and~~ or mixed-use buildings, arranged
6 along a main street and intersecting streets that are within walking distance for
7 residents who live within and surrounding the ~~core~~ downtown center or village
8 center. ~~These areas include existing village center designations and similar~~
9 ~~areas statewide, but this area is larger than the village center designation.~~

10 Village areas shall meet the following criteria:

11 * * *

12 (iv) The municipality has either ~~municipal~~ public water or
13 wastewater. If no public water or wastewater is available, the area must have
14 soils that are adequate for wastewater disposal.

15 (v) The area has some opportunity for infill development or new
16 development areas where the village can grow, support the development of
17 housing to meet the regional and municipal housing targets, and be flood
18 resilient.

19 * * *

20 (F) Enterprise areas. These areas include locations of high economic
21 activity and employment that are not adjacent to planned growth areas. These

1 include industrial parks, areas of natural resource extraction, or other
2 commercial uses that involve larger land areas. Enterprise areas typically have
3 ready access to water supply, sewage disposal, electricity, and freight
4 transportation networks.

5 * * *

6 (J) Rural; conservation. These are areas of significant natural
7 resources, identified by regional planning commissions or municipalities based
8 upon existing Agency of Natural Resources mapping that require special
9 consideration for aquifer protection; for wetland protection; for the
10 maintenance of forest blocks, wildlife habitat, and habitat connectors; or for
11 other conservation purposes. ~~The mapping of these areas and accompanying
12 policies are intended to help meet requirements of 10 V.S.A. chapter 89. Any
13 portion of this area that is approved by the LURB as having Tier 3 area status
14 shall be identified on the future land use map as an overlay upon approval.~~

15 * * *

16 (d) With the exception of preexisting, nonconforming designations
17 approved prior to the establishment of the program, the areas eligible for
18 designation benefits upon the Land Use Review Board's approval of the
19 regional plan future land use map for designation as a center shall not include
20 development that is disconnected from a downtown or village center and that

1 lacks an existing or planned pedestrian connection to the center via a complete
2 street.

3 * * *

4 **Sec. 14. REGIONAL AND MUNICIPAL PLAN EXTENSIONS**

5 Any regional or municipal plan due to expire in 2026 shall have its
6 expiration date extended until December 31, 2026.

7 **Sec. 15. 24 V.S.A. § 5801 is amended to read:**

8 § 5801. DEFINITIONS

9 As used in this chapter:

10 * * *

11 (8) “Planned growth area” means an area on the regional plan future
12 land use maps ~~required under section 4348a of this title, which may encompass~~
13 ~~a downtown center or village center on the regional future land use map and~~
14 ~~may be designated as a center or neighborhood, or both~~ meeting the
15 requirements of section 4348a(12)(B) of this title and which may be designated
16 as a neighborhood.

17 * * *

18 (10) “Sprawl repair” means the redevelopment of lands with buildings,
19 traffic and circulation, parking, or other land coverage in a pattern that is
20 consistent with smart growth principles as defined in this section.

21 * * *

1 (B) Develops compact mixed-use centers at a scale appropriate for
2 the community and the region.

3 (C) Enables choice in modes of transportation.

4 (D) Protects the State’s important environmental, natural, and historic
5 features, including natural areas, water quality, scenic resources, and historic
6 sites and districts.

7 (E) Serves to strengthen agricultural and forest industries and
8 minimizes conflicts of development with these industries.

9 (F) Balances growth with the availability of economic and efficient
10 public utilities and services.

11 (G) Supports a diversity of viable businesses in downtowns and
12 villages.

13 (H) Provides for housing that meets the needs of a diversity of social
14 and income groups in each community.

15 (I) Reflects a settlement pattern that, at full build-out, is not
16 characterized by:

17 (i) scattered development located outside compact urban and
18 village centers that is excessively land consumptive;

19 (ii) development that limits transportation options, especially for
20 pedestrians;

21 (iii) the fragmentation of farmland and forestland;

1 (iv) development that is not serviced by municipal infrastructure
2 or that requires the extension of municipal infrastructure across undeveloped
3 lands in a manner that would extend service to lands located outside compact
4 village and urban centers;

5 (v) linear development along well-traveled roads and highways
6 that lacks depth, as measured from the highway.

7 **Sec. 16. 24 V.S.A. § 5803 is amended to read:**

8 § 5803. DESIGNATION OF DOWNTOWN AND VILLAGE CENTERS

9 (a) Designation established. A regional planning commission may apply to
10 the LURB for approval and designation of all downtown and village centers by
11 submitting the regional plan future land use map adopted by the regional
12 planning commission. ~~The regional plan future land use map shall identify~~
13 ~~downtown centers and village centers as the downtown and village areas~~
14 ~~eligible for designation as centers.~~ The Department and State Board shall
15 provide comments to the LURB and the regional planning commission on
16 areas eligible for center designation as provided ~~under~~ in section 4348 of this
17 chapter.

18 * * *

19 ~~(c) Exclusions. With the exception for preexisting, nonconforming~~
20 ~~designations approved prior to the establishment of the program under this~~
21 ~~chapter or areas included in the municipal plan for the purposes of relocating a~~

1 ~~municipality's center for flood resiliency purposes, the areas eligible for~~
2 ~~designation benefits upon the LURB's approval of the regional plan future land~~
3 ~~use map for designation as a Center shall not include development that is~~
4 ~~disconnected from a Center and that lacks a pedestrian connection to the~~
5 ~~Center via a complete street. [Repealed.]~~

6 * * *

7 (1) Step One.

8 (A) Requirements. Step One is established to create an accessible
9 designation for all ~~villages~~ village centers throughout the State to become
10 eligible for funding and technical assistance to support site-based
11 improvements and planning. All downtown and village centers shall
12 automatically reach Step One upon approval of the regional plan future land
13 use map by the LURB. Regional plan future land use maps supersede
14 preexisting designated areas that may already meet the Step One requirement.

15 (B) Benefits. A center that reaches Step One is eligible for the
16 following benefits:

17 (i) funding and technical assistance eligibility for site-based
18 projects, including the Better Places Grant Program under section 5810 of this
19 chapter, access to the Downtown and Village Center Tax Credit Program
20 described in 32 V.S.A. § 5930aa et seq., and other programs identified in the
21 Department's guidance; ~~and~~

1 (ii) funding priority for developing or amending the municipal plan,
2 visioning, and assessments; and

3 (iii) authority for the municipal legislative body to establish speed
4 limits of less than 25 mph within the center under 23 V.S.A. § 1007(g).

5 (2) Step Two.

6 (A) Requirements. Step Two is established to create a mid-level
7 designation for ~~villages~~ village or downtown centers throughout the State to
8 increase planning and implementation capacity for community-scale projects.

9 A center reaches Step Two if it:

10 (i) meets the requirements of Step One or if it has a designated
11 village center or new town center under chapter 76A of this title upon initial
12 approval of the regional plan future land use map and prior to December 31,
13 2026;

14 (ii) has a confirmed municipal planning process pursuant to 24
15 V.S.A. § 4350;

16 (iii) has a municipal plan with goals for investment in the center;
17 and

18 **(iv)** a portion of the center is listed or eligible for listing in the
19 National Register of Historic Places.

20 (B) Benefits. In addition to the benefits of Step One, a center that
21 reaches Step Two is eligible for the following benefits:

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~~(v) authority for the municipal legislative body to establish speed limits of less than 25 mph within the center under 23 V.S.A. § 1007(g) housing appeal limitations as described in chapter 117 of this title;~~

* * *

(3) Step Three.

(A) Requirements. Step Three is established to create an advanced designation for downtowns centers throughout the State to create mixed-use centers and join the Vermont Downtown Program. A center reaches Step Three if the Department finds that it meets the following requirements:

* * *

(B) Benefits. In addition to the benefits of Steps One and Two, a municipality that reaches Step Three is eligible for the following benefits:

* * *

~~(v) Housing appeal limitations as described in chapter 117 of this title. [Repealed.]~~

* * *

Sec. 17. 24 V.S.A. § 5804 is amended to read:

§ 5804. DESIGNATED NEIGHBORHOOD

* * *

1 (d) Benefits. A designated neighborhood is eligible for the following
2 benefits:

3 * * *

4 (3) ~~eligibility for the Downtown and Village Center Tax Credit Program~~
5 ~~described in 32 V.S.A. § 5930aa et seq.;~~ [Repealed.]

6 * * *

7 **Sec. 18. 32 V.S.A. § 5930bb is amended to read:**

8 § 5930bb. ELIGIBILITY AND ADMINISTRATION

9 * * *

10 (c) Application shall be made in accordance with the guidelines set by the
11 State Board. The guidelines shall clearly indicate that only applications
12 located in Step 2 and Step 3 State designated centers or Step 1 centers where a
13 portion of the designated center is listed or eligible for listing in the national
14 register of historic places shall be considered.

15 * * *

16 **Sec. 19. REPEAL**

17 24 V.S.A. § 4476 (Formal review of regional planning commission
18 decisions) is repealed.

19 Sec. 20. EFFECTIVE DATE

20 This act shall take effect on passage.

1 and that after passage the title of the bill be amended to read: “An act relating
2 to Act 250 Tier jurisdiction”

3

4 (Committee vote: _____)

5

6

Senator _____

7

FOR THE COMMITTEE