1	S.63
2	Introduced by Senators Lyons and Hartwell
3	Referred to Committee on
4	Date:
5	Subject: Land use; municipal bylaws; limitations; renewable energy
6	generation facilities
7	Statement of purpose: This bill proposes to limit the extent to which municipal
8	bylaws may regulate renewable energy generation facilities that are not already
9	exempt from municipal regulation due to public service board jurisdiction.

10 11	An act relating to limiting local zoning powers that would interfere with the functional use of renewable energy generation facilities
12	It is hereby enacted by the General Assembly of the State of Vermont:
13	Sec. 1. 24 V.S.A. § 4413 is amended to read:
14	§ 4413. LIMITATIONS ON MUNICIPAL BYLAWS
15	(a) The following uses may be regulated only with respect to location, size,
16	height, building bulk, yards, courts, setbacks, density of buildings, off-street
17	parking, loading facilities, traffic, noise, lighting, landscaping, and screening
18	requirements, and only to the extent that regulations do not have the effect of
19	interfering with the intended functional use:
20	(1) State- or community-owned and operated institutions and facilities.

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1	(2) Public and private schools and other educational institutions certified
2	by the state department of education.
3	(3) Churches and other places of worship, convents, and parish houses.
4	(4) Public and private hospitals.
5	(5) Regional solid waste management facilities certified under 10
6	V.S.A. chapter 159.
7	(6) Hazardous waste management facilities for which a notice of intent
8	to construct has been received under 10 V.S.A. § 6606a.
9	(7) Renewable energy generation facilities that are not regulated under
10	30 V.S.A. § 248. For the purpose of this subdivision, the term "renewable
11	energy" shall have the same meaning as in 30 V.S.A. § 8002(2).
12	(b) A bylaw under this chapter shall not regulate public utility power
13	generating plants and transmission facilities regulated under 30 V.S.A. § 248.
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