
This summary is of a bill that was vetoed by the Governor and may be reconsidered by the General Assembly prior to final adjournment of the 2021–2022 legislative session. This summary is provided for the convenience of the public and members of the General Assembly; it provides a general summary of the bill and may not be exhaustive. This summary has been prepared by the staff of the Office of Legislative Counsel without input from members of the General Assembly and is not intended to aid in the interpretation of legislation or to serve as a source of legislative intent.

S.234 (Vetoed). Conservation and development; land use; Act 250

This bill would have made multiple amendments to the State land use and development law, Act 250, and municipal zoning laws including:

- Changing the neighborhood development area designation requirements.
- Changing one of the new town center designation requirements.
- Prohibiting municipal land use permits for a site plan or conditional use from expiring in less than two years.
- Prohibiting towns from requiring more than one parking space per bedroom for accessory dwelling units.
- Providing grants to municipalities to assist them in updating their bylaws.
- Raising the cap on the number of priority housing projects that can be exempt from Act 250.
- Amending multiple definitions under Act 250.
- Streamlining the Act 250 exemption for priority housing projects
- Updating criterion 1(D) of Act 250.
- Requiring municipalities to respond to Act 250 requests within 90 days.
- Adding a new criterion for forest blocks and connecting habitat.
- Clarifying permit conditions for wood product manufacturers.
- Clarifying Act 250 jurisdiction in one-acre towns.
- Requiring a report on Act 250 Jurisdiction Over Agricultural Businesses due by Jan 1, 2023 from the Natural Resources Board (NRB).
- Appropriating \$150,000 to the Department of Housing and Community Development to hire a consultant to review the Designated Area Program. Report due July 1, 2023.
- Requiring a report from NRB to report to General Assembly on various Act 250 topics including how to transition to location-based jurisdiction, how to use the Capability and Development Plan, the effectiveness of the current fee structure, and assessment of current staff levels.
- Changing the name of the Natural Resources Board to the Environmental Review Board and giving it the authority to hear appeals from the District Commissions and district coordinators in addition to the Board’s current duties. The Environmental Division of the Superior Court would continue to hear appeals from other environmental permits, enforcement, and local zoning appeals. Members of the Environmental Review Board would be appointed by the Environmental Review Board Nominating Committee

reviewing the candidates. After the members of the Board are appointed, the Board would adopt rules of procedure for appeals.

Vetoed by the Governor: June 1, 2022

Effective Date: Not applicable