

1 S.100- Representative Elder Proposal

2 Sec. 16. 10 V.S.A. § 6001 is amended to read:

3 § 6001. DEFINITIONS

4 As used in this chapter:

5 \* \* \*

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

7 \* \* \*

8 (iv) The construction of housing projects such as cooperatives,  
9 condominiums, or dwellings, or construction ~~or maintenance~~ of mobile homes  
10 or mobile home parks, with 10 or more units, constructed or maintained on a  
11 tract or tracts of land, owned or controlled by a person, within a radius of five  
12 miles of any point on any involved land and within any continuous period of  
13 five years. However:

14 \* \* \*

15 (IV) In a municipality with permanent zoning and subdivision  
16 bylaws, the construction of four units or fewer of housing shall not count  
17 toward determining jurisdiction over any other project.

18 \* \* \*

19 (xii) Until July 1, 2026, the construction of housing projects such  
20 as cooperatives, condominiums, dwellings, or mobile homes, with 25 or more  
21 units, constructed or maintained on a tract or tracts of land, owned or

1 controlled by a person, within a radius of five miles of any point on any  
2 involved land and within any continuous period of five years, located within a  
3 municipality with permanent zoning and subdivision bylaws.

4 \* \* \*

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

6 \* \* \*

7 (ix) The construction of a housing project with four units or fewer  
8 located in a municipality with permanent zoning and subdivision bylaws.

9 Sec. XX. 10 V.S.A. § 6081 is amended to read:

10 § 6081. PERMITS REQUIRED; EXEMPTIONS

11 \* \* \*

12 (y) No permit amendment is required for the construction of improvements  
13 for 24 units or fewer of housing.

14 Sec. 16b. ACT 250 EXEMPTION REQUIREMENTS

15 In order to qualify for the exemptions established in 10 V.S.A. § 6001  
16 (3)(A)(xi), (3)(A)(xii), and (3)(D)(viii)(III), a person shall apply for a  
17 jurisdictional opinion under 10 V.S.A. § 6007 by July 1, 2026. The  
18 jurisdictional opinion shall require the project to substantially complete  
19 construction by June 30, 2029 in order to remain exempt.