



**Act 250 Jurisdiction
Senate--Transportation
March 20, 2019**



ACT 250 JURISDICTION

Subdivisions of 10 lots or more, or 6 lots in towns without permanent zoning and subdivision regulations.

114.01 +/-

115.02 +/-

92.02 +/-

VERMONT ST

FIR ST

Commercial development on
>1 or >10 acre



- State and municipal projects >10 acres disturbance



Other Act 250 Jurisdictional Triggers

- Housing projects with 10 or more units (higher thresholds for Priority Housing Projects in designated centers)
- Communication towers >50 feet in height
- Commercial, residential, or industrial development above 2,500 feet

Act 250 Amendment Jurisdictional

- **Material change** to an Act 250 permitted project—...any cognizable change to a development or subdivision subject to a permit under Act 250 or findings and conclusions under 10 V.S.A. § 6086b, which has a significant impact on any finding, conclusion, term or condition of the project's permit or which may result in a significant adverse impact with respect to any of the criteria specified in 10 V.S.A. § 6086(a)(1) through (a)(10).
- **Substantial changes** to pre-existing (pre-1970) projects—any cognizable change to a pre-existing development or subdivision which may *result in significant adverse impact* with respect to any of the criteria specified in 10 V.S.A. § 6086(a)(1) through (a)(10).

The background features several concentric circles of varying radii, some solid and some dashed, creating a ripple effect. A large blue callout box with a downward-pointing tail is centered on the page. Inside this box, the text "ACT 250 EXEMPTIONS TO JURISDICTION" is written in white, bold, uppercase letters.

ACT 250 EXEMPTIONS TO JURISDICTION

Farming below 2,500 feet



Logging below 2,500 feet



Other Statutory Exemptions to Act 250 Jurisdiction

Electric generation and transmission facilities regulated by PUC.

Agricultural fairs and horse shows; no buildings; open to public for < 61 days per year

Small scale and on-farm composting

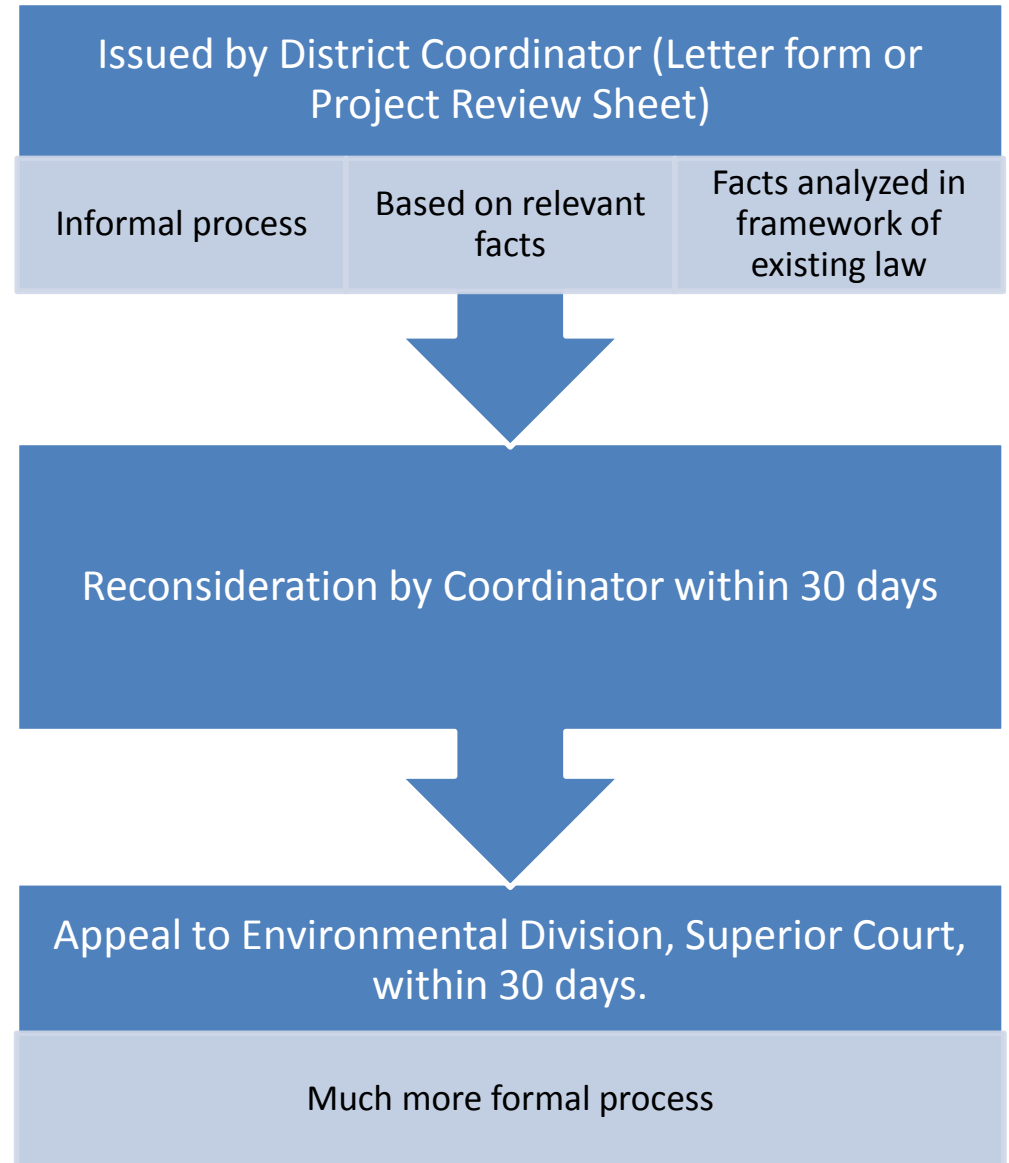
And others

Exemptions by Rule

Act 250 Rule 2(C)(3) & related definitions:

- Home occupation – defined in Rule 2(C)(17)
 - Use, by a resident, of a minor portion of the residence + ancillary buildings, for occupation/business customary in residential areas that has no potential for significant impact
- *De minimis* - no potential for significant adverse impact
- Test wells, preparation & plans

Jurisdictional
Opinions
(is there Act
250
Jurisdiction
over a
particular
project?)



A dark, irregular ink blot with the word "Questions?" written in white in the center. The blot has a rough, splattered edge and is surrounded by a light, textured background that looks like a watercolor wash or a light ink bleed-through. The text is centered within the dark area.

Questions?