
This act summary is provided for the convenience of the public and members of the General Assembly. It is intended to provide a general summary of the act and may not be exhaustive. It has been prepared by the staff of the Office of Legislative Counsel without input from members of the General Assembly. It is not intended to aid in the interpretation of legislation or to serve as a source of legislative intent.

Act No. 182 (S.226). Housing; land use; municipal zoning; Act 250

An act relating to expanding access to safe and affordable housing

This act includes program changes and funding to promote access to safe and affordable housing, including:

- authorization and funding for VHFA to provide grants to first-generation homebuyers (Secs. 1–2);
- funding for manufactured home repair and replacement (Sec. 3);
- funding for a Community Partnership for Neighborhood Development (Sec. 4);
- funding for a Missing Middle-Income Homeownership Development Pilot Program (Sec. 11);
- registration of residential construction contractors (Secs. 12–18); and
- prohibition on tax sale of a residence while a Vermont Homeowner Assistance Program application is pending (Sec. 21).

This act amends the Downtown and Village Center Tax Credit Program by creating a new type of tax credit for flood mitigation projects and to allow tax credits to be awarded to projects in neighborhood development areas. (Secs. 5–10)

This act amends provisions of the Vermont Fair Housing and Public Accommodations Act to provide general legislative intent and statutory direction on the interpretation of the fair housing laws with regard to harassment and discrimination of members of protected classes. (Secs. 19–20)

This act establishes the Vermont Land Access and Opportunity Board to promote improvements in access to woodlands, farmland, and land and home ownership for Vermonters from historically marginalized or disadvantaged communities. (Secs. 22–22c)

This act makes multiple amendments to the State land use and development law, Act 250, and municipal zoning laws (Secs. 23–41), 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.
- 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 the 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.

Multiple effective dates, beginning on June 7, 2022