

S.234 An Act relating to changes to Act 250
As Passed Senate
25 March 2022

Sec.	Citation	Summary
Municipal Zoning		
1	24 V.S.A. § 2793e (H.511)	This section would allow multiple towns to file joint applications for Neighborhood Development Areas (NDAs). It allows NDAs to include areas in flood hazard areas if they are suitable for infill development as defined under ANR’s rule. If the NDA does include flood hazard areas, the local bylaws must contain provisions consistent with ANR’s model Flood Hazard and River Corridor bylaws. It strikes the requirement that NDAs to have either a municipal sewer or an approved community or alternative wastewater system. It requires that an NDA have a density of 4 residential units of any kind within its zoning districts.
2	24 V.S.A. § 2793b (H.511)	It requires that a New Town Center have a density of 4 residential units of any kind within its zoning districts.
3	24 V.S.A. § 4449 (H.511)	No municipal land use permit for a site plan or conditional use shall expire in less than two years.
Act 250		
4	10 V.S.A. § 6001 (H.511)	Raises cap on number of PHPs that can be exempt from Act 250 in small towns from 25 to 50 units Updates definitions of: “flood hazard area,” “river corridor,” “mixed income housing”
5	10 V.S.A. § 6086 (H.511)	Updates Criterion 1(D) to use the ANR definitions
Municipal Response to Act 250 Requests		
6	10 V.S.A. 6086(g)	Requires towns to respond to requests from Act 250 applicants within 90 days or the application shall be deemed to have no unreasonable burden under criteria 6&7
Forest Blocks		
7	10 V.S.A. § 6001	Adds definitions related to forest blocks and connecting habitat to be used in criterion 8C
8	10 V.S.A. § 6086(a)(8)	Adds new criterion to Act 250- 8C which requires applicants to not cause undue adverse impacts to forest blocks, connecting habitats, and rare and irreplaceable natural areas.

9		Rulemaking for new Criterion 8C- forest blocks and connecting habitat
10	10 V.S.A. § 127	Requires ANR to map forest blocks and to establish procedures for updating maps.
11	10 V.S.A. § 6001	Puts the “Road Rule” into statute. Requires roads, as defined, to get an Act 250 permit
Wood Product Manufacturers		
12	10 V.S.A. § 6001	Definitions for Wood Product Manufacturers
13	10 V.S.A. § 6086(c)	Specifies permit conditions for Wood Product Manufacturers, allowing some operation on nights, weekends, and holidays.
Jurisdiction in 1-acre towns		
14	10 V.S.A. § 6001	Amends the language to make the jurisdictional trigger for 1-acre towns identical to the language for 10-acre towns.
Reports		
15	(S.235)	Report on Act 250 Jurisdiction Over Agricultural Businesses
16		Study Committee on Natural Resources Board Structure. Report due on December 31, 2022.
17		Effective Dates- July 1, 2022, Except- Sec. 8 (new criterion 8(C)) shall take effect on September 1, 2024