

1 S.17

2 Introduced by Senator Mullin

3 Referred to Committee on

4 Date:

5 Subject: Conservation; Act 250; local option to exempt traditional industrial
6 district

7 Statement of purpose: This bill proposes to allow municipalities that have a
8 zoning administrator and have adopted permanent zoning and subdivision
9 bylaws to determine by ordinance to exempt from Act 250 the construction of
10 improvements on one or more tracts of land lying entirely within a traditional
11 industrial district that was in existence on June 1, 1970 and that still exists,
12 whether or not currently subject to an Act 250 permit.

13 An act relating to a local option Act 250 exemption for construction within
14 a traditional industrial district

15 It is hereby enacted by the General Assembly of the State of Vermont:

16 Sec. 1. 10 V.S.A. § 6001(3)(D) is amended to read:

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

18 (i) The construction of improvements for farming, logging, or
19 forestry purposes below the elevation of 2,500 feet.

1 (ii) The construction of improvements for an electric generation or
2 transmission facility that requires a certificate of public good under section
3 30 V.S.A. § 248 or a natural gas facility as defined in subdivision 30 V.S.A.
4 § 248(a)(3).

5 (iii) [Repealed.]

6 (iv) The construction of improvements for agricultural fairs that
7 are open to the public for 60 days per year, or fewer, provided that any
8 improvements constructed do not include one or more buildings.

9 (v) The construction of improvements for the exhibition or
10 showing of equines at events that are open to the public for 60 days per year, or
11 fewer, provided that any improvements constructed do not include one or more
12 buildings.

13 (vi) The construction of improvements for commercial or
14 industrial purposes or substantial changes to improvements on a tract or tracts
15 of land owned or controlled by a person that lie entirely within a traditional
16 industrial district that was in existence on June 1, 1970 and still exists, whether
17 or not currently subject to a permit issued under this chapter, within a
18 municipality that:

19 (I) has a zoning administrator;

20 (II) has adopted permanent zoning and subdivision bylaws;

1 (III) has elected by ordinance, adopted under chapter 59 of
2 Title 24, to invoke the exemption provided by this subdivision (3)(D)(vi),
3 instead of jurisdiction that would otherwise be in effect under this chapter.