

Q&A: Act 250 Interim Housing Exemptions

Q: Why is my designated village “ineligible” for an exemption?

A: Two requirements must be met for a designated village to be exempt: (1) the municipality must have permanent zoning and subdivision bylaws and (2) have available either public sewer or water services available or adequate soils for wastewater disposal.

Q: How can my municipality adopt permanent zoning and subdivision bylaws that will meet the housing exemptions requirement?

A: The adoption of zoning and subdivision bylaws is an important community decision. Once a decision is made to adopt, modify or update these bylaws, there are a variety of resources available to assist communities, including municipal attorneys, planning consultants and others.

Assistance. The Regional Planning Commissions (RPCs) provide technical assistance to municipalities on the development of zoning and subdivision regulations. Contact your RPC for more information about their services. www.vapda.org. The Vermont League of Cities and Towns Municipal Assistance Center assists member municipal officials with zoning and land use legal requirements by answering questions and offering training – submit through the [Municipal Access Portal](#) (member login required) – as well as guidance and helpful links via [Land Use | Vermont League of Cities and Towns \(vlct.org\)](#).

Grants. The Agency of Commerce and Community Development offers a competitive grant program to support community planning efforts. See [Municipal Planning Grant | Agency of Commerce and Community Development \(vermont.gov\)](#) or contact Jacob Hemmerick, jacob.hemmerick@vermont.gov for more information.

Q: If my project lands on an exempt parcel am I ok to build without an Act 250 permit?

A: To verify you’re exempt you can check with your [District Coordinator](#) and the [Interim Housing Exemption Guidance](#). As the map disclaimer notes, the map is a planning and visual tool that does not provide an official determination of whether Act 250 applies. The map contains the best data layers available but does not include all details of the exemptions nor include all relevant data. In fact, all data

sets used are not complete. For example, there is not statewide national flood insurance program data.