

Senate Committee on Economic Development, Housing and General Affairs

Comments on 24-0067 from

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Tier 1 areas (includes Tier 1A and 1B)

(A) Downtown/Village Centers: These areas are the vibrant, mixed-use centers bringing together community economic activity and civic assets. Includes villages, new town centers, and larger downtowns seeking benefits under the State Designation Program. The Downtown/Village Centers are the central business and civic centers within Planned Growth Areas, Village Areas, or may stand alone.

(B) Planned Growth Areas: Includes the densest existing settlement and future growth areas with the highest concentrations of population, housing, and employment in each region and town, as appropriate. They include a mix of commercial, residential, and civic or cultural sites with active streetscapes, supported by land development regulations, public water and/or wastewater and multi-modal transportation systems. These areas include historic or new town centers, downtowns, and village centers. These areas should substantially meet the following criteria:

(i) The municipality has a duly adopted and approved plan and a planning process that is confirmed in accordance with section 4350 of this title.

(ii) The municipality has adopted bylaws and regulations in accordance with sections 4414, 4418, and 4442 of this title.

(iii) The area is served by municipal sewer and water infrastructure as defined in section 4303 of this title.

(iv) The area is generally within walking distance or is an area with that continues a pattern of higher density mixed use development within one-quarter mile of regular transit service from the municipality's, or an adjacent municipality's, downtown, village center, new town center or growth center.

(v) The area excludes identified flood hazard and fluvial erosion areas, except those areas containing preexisting development in areas suitable for infill development as defined in § 29-201 of the Vermont Flood Hazard Area and River Corridor Rule.

(vi) The municipal plan indicates that this area is intended for higher density residential and mixed use development.

(vii) The area provides for housing that meets the needs of a diversity of social and income groups in the community as described in the municipality's plan to achieve their housing targets developed under 24 V.S.A. § 4348a for the full range of housing.

(viii) The area is served by planned or existing transportation infrastructure that conforms with "complete streets" principles as described under 19 V.S.A. § 309d and establishes pedestrian access directly to the downtown, village center, or new town center.

(ix) Reflects a planned settlement pattern that, at full build-out, is not characterized by:

(a) scattered development located outside compact urban and village centers that is excessively land consumptive;

(b) development that limits transportation options, especially for pedestrians;

(c) the fragmentation of farmland and forestland;

(d) development that is not serviced by municipal infrastructure or that requires the extension of municipal infrastructure across undeveloped lands in a manner that would extend service to lands located outside compact village and urban centers;

(e) linear development along well-traveled roads and highways that lacks depth, as measured from the highway.

(C) Village Areas: Includes the traditional settlement area or a proposed new settlement area, typically comprised of a cohesive mix of residential, civic, religious, commercial, and mixed-use buildings, arranged along a main street and intersecting streets that are within walking distance for residents who live within and surrounding the core. Village Areas have water, sewer, or soils that are adequate for wastewater disposal, and land development regulations. They provide some opportunity for infill development or new development areas where the village can grow and be flood resilient. These areas include existing village center designations and similar areas statewide, but this area is larger than the Village Center designation. These areas should substantially meet the following criteria:

(i) The municipality has a duly adopted and approved plan and a planning process that is confirmed in accordance with section 4350 of this title and has adopted bylaws and regulations in accordance with sections 4414, 4418, and 4442 of this title.

(ii) The area excludes identified flood hazard and fluvial erosion areas, except those areas containing preexisting development in areas suitable for infill development as defined in § 29-201 of the Vermont Flood Hazard Area and River Corridor Rule.

Tier 3

1. Mapping of Tier 3.

We would like to see clear minimum direction to RPCs as to what to include in Tier 3 to inform our regional plan update process. We do not have a formal position on which of

these resources should be included in Tier 3 but offer these as some options for consideration by the Committee. We hope that statute for our regional plans can include clear direction as to the minimum resources that should be included in our Rural – Conservation areas to promote some degree of consistency across the State. Listed below and in the attached pdf maps and tables are some possible Tier 3 resources. We are working on a web-based map that will allow you to explore the resources by individual layers. We will share the link to the map as soon as possible.

- a. Known constraints from the Enhanced Regional Energy Plan process.
 - i. Vernal Pools from Vermont Center for Ecostudies (VCE; confirmed layers)
 - ii. DEC River Corridors
 - iii. FEMA Floodways
 - iv. State-significant Natural Communities
 - v. Rare, Threatened, and Endangered Species
 - vi. National Wilderness Areas
 - vii. Class 1 and Class 2 Wetlands (VSWI and advisory layers)
 - viii. Regionally or Locally Identified Critical Resources *If areas are constrained for the development of renewable energy due to the desire to protect a locally designated critical resource (whether a natural resource or a community-identified resource), then the land use policies applicable to other forms of development in this area must be similarly restrictive; for this category, policies must prohibit all permanent development (and should be listed in the Notes column). These areas should be subtracted from raw renewable energy resource potential maps to form Secondary Resource Maps*
- b. Highest Priority Interior Forest Blocks and Highest Priority Connectivity Blocks
- c. Critical Resource Area (per Sec. 23, page 46)
 - i. River Corridors
 - ii. Significant Wetland as defined in Sec. 902
 - iii. Land at or above 2000'
 - iv. Land with slopes greater than 15% and shallow depth to bedrock (*only mapped 15% - may need more definition on how to determine shallow depth to bedrock*)
 - v. Prime Agricultural Soil
 - vi. Connecting Habitat (*mapped Priority and Highest Priority Interior Forest Blocks and Connectivity Blocks assuming this is what was intended*)