



VAPDA

Vermont Association of Planning & Development Agencies

HOME Act: Regional Planning Report Overview

January 9, 2023

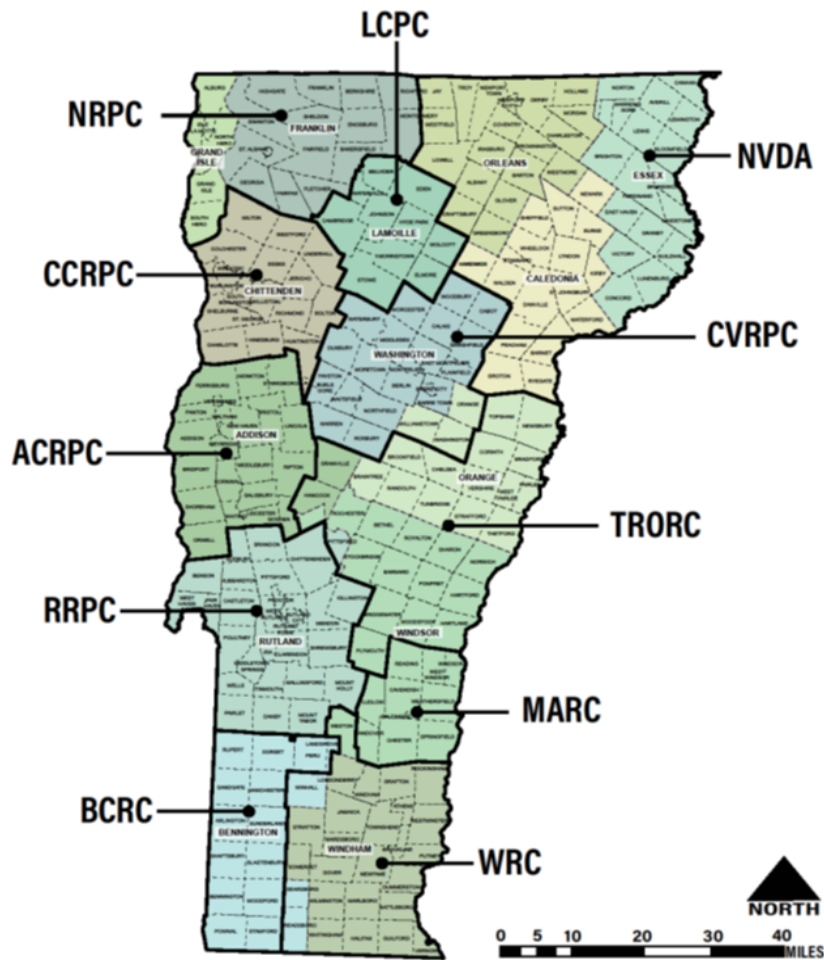
**Presented to: Senate Committee on
Economic Development, Housing and
General Affairs**

Regional Planning Report

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**STATE OF VERMONT
REGIONAL PLANNING COMMISSIONS**

Quick RPC Intro



Vermont has **11** RPCs and about **125** staff serving all of Vermont's municipalities.

RPCs provide planning, technical assistance, and project management services to municipalities, state agencies, and the federal government in the areas of regional planning, municipal planning and bylaws, Act 250 reviews, housing, energy/climate mitigation, climate adaptation, transportation, water quality, brownfields, infrastructure, emergency management, economic development, health & equity, mapping, and other services when requested.



Visit VAPDA.org for more information about each RPC in VT



Process (pp 6-7)

1. Reviewed all regional plans for similarities and differences.
2. Developed draft future land use categories considering intent, density, scale and type of development, infrastructure, and natural and historic/cultural resources.
3. Developed draft recommendations as to how future land use areas interface with State Designations, Act 250, State Investments, and other statutory requirements.
4. Sought review from RPC boards and municipalities, Agency of Transportation, Agency of Natural Resources, Agency of Commerce and Community Development, Department of Public Service, Vermont Emergency Management, Vermont Housing and Conservation Board, Natural Resources Board, Regional Development Corporations, Vermont League of Cities and Towns, Vermont Planners Association, Vermont Natural Resources Council, Conservation Law Foundation.
5. Addressed comments and submitted report on December 15, 2023.



Goals (pp 4-5)

- State Planning Goal – “To plan development so as to maintain the historic settlement pattern of compact village and urban centers separated by rural countryside.” (24 V.S.A. § 4302)
- Provide clarity about the planned scale of development.
- Advance the State, regional, and municipal housing targets.
- Additional strategy to supplement public funding of housing.
- Achieve the State’s climate goals and flood resilience.
- Reduce development pressure on our farms and forests.
- Improve public health - physical activity and social isolation.
- Maximize investment in our transit system.
- Support economic growth in all areas of the State.
- Maximize the impact of municipal, state and federal infrastructure investments.

Consistent Future Land Use Areas (pp 7-8)

- Downtown/Village Centers
- Planned Growth Areas
- Village Areas
- Transition/Infill Area (optional)
- Resource-Based Recreation Areas
- Enterprise
- Hamlet
- Rural – General
- Rural - Agricultural and Forestry
- Rural - Conservation



Consistent Future Land Use Areas (pp 7-8)

➤ Downtown/Village Centers

- Vibrant, mixed-use centers bringing together community economic activity and civic assets.
- Includes hamlets, 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.
- Provide opportunities for Downtown & Village Centers to grow in a flood resilient way.



Consistent Future Land Use Areas (pp 7-8)

➤ Planned Growth Areas

- Densest existing settlement and future growth areas with the highest concentrations of population, housing, and employment in each region and town, as appropriate.
- 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.
- Historic or new town centers, downtowns, and village centers are within Planned Growth Areas.
- Provide opportunities for communities to grow in a flood resilient way.



Consistent Future Land Use Areas (pp 7-8)

➤ Village Areas

- 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.
- May or may not have one of the following: water, sewer, or land development regulations.
- Provide some opportunity for infill development and/or new development areas where the village can grow in a flood resilient way.
- Include existing village center designations and similar areas statewide, but this area is larger than the Village Center designation.



Consistent Future Land Use Areas (pp 7-8)

➤ Transition/Infill Area (optional)

- Areas of existing or planned commercial, office, mixed-use development, or residential uses either adjacent to a Planned Growth or Village Area or a new stand-alone Transition Area.
- Served by, or planned for, water and/or wastewater.
- Intent to transform into higher-density, mixed use settlements, or residential neighborhoods through infill and redevelopment or new development.
- New commercial strip auto-oriented development is not allowed as to prevent negatively impacting the economic vitality of commercial areas in the adjacent or nearby Planned Growth or Village Area.
- Could also include adjacent greenfields safer from flooding and planned for future growth.



Consistent Future Land Use Areas (pp 7-8)

➤ Resource-Based Recreation Areas

- Large-scale resource-based, recreational facilities, often concentrated around ski resorts, lakeshores, or concentrated trail networks, which provide infrastructure, jobs, and housing to support recreational activities.



Consistent Future Land Use Areas (pp 7-8)

➤ Enterprise

- Locations of high economic activity and employment which are not adjacent to Planned Growth Areas.
- Industrial parks, areas of natural resource extraction, or other commercial uses which involve larger land areas.
- Enterprise areas typically have ready access to water supply, sewage disposal, electricity, and freight transportation networks.



Consistent Future Land Use Areas (pp 7-8)

➤ Hamlet

- Small historic clusters of homes and perhaps a school, church, store, or other public buildings not planned for significant growth; no public water supply or wastewater systems, and mostly focused along 1-2 roads. These may be depicted as points on the FLU map.



Consistent Future Land Use Areas (pp 7-8)

➤ Rural – General

- Areas that promote the preservation of Vermont's traditional working landscape and natural area features.
- Low-density residential and sometimes limited commercial development that is compatible with productive lands and natural areas. This could also include an area that a municipality is planning to make more rural than it is currently.



Consistent Future Land Use Areas (pp 7-8)

➤ Rural - Agricultural and Forestry

- Blocks of forest or farmland that sustain resource industries, provide critical wildlife habitat and movement, outdoor recreation, flood storage, aquifer recharge, and scenic beauty, and contribute to economic well-being and quality of life.
- Development in these areas should be carefully managed to promote the working landscape and rural economy, and address regional goals, while protecting the agricultural and forest resource value. Consistent with Act 171 requirements.



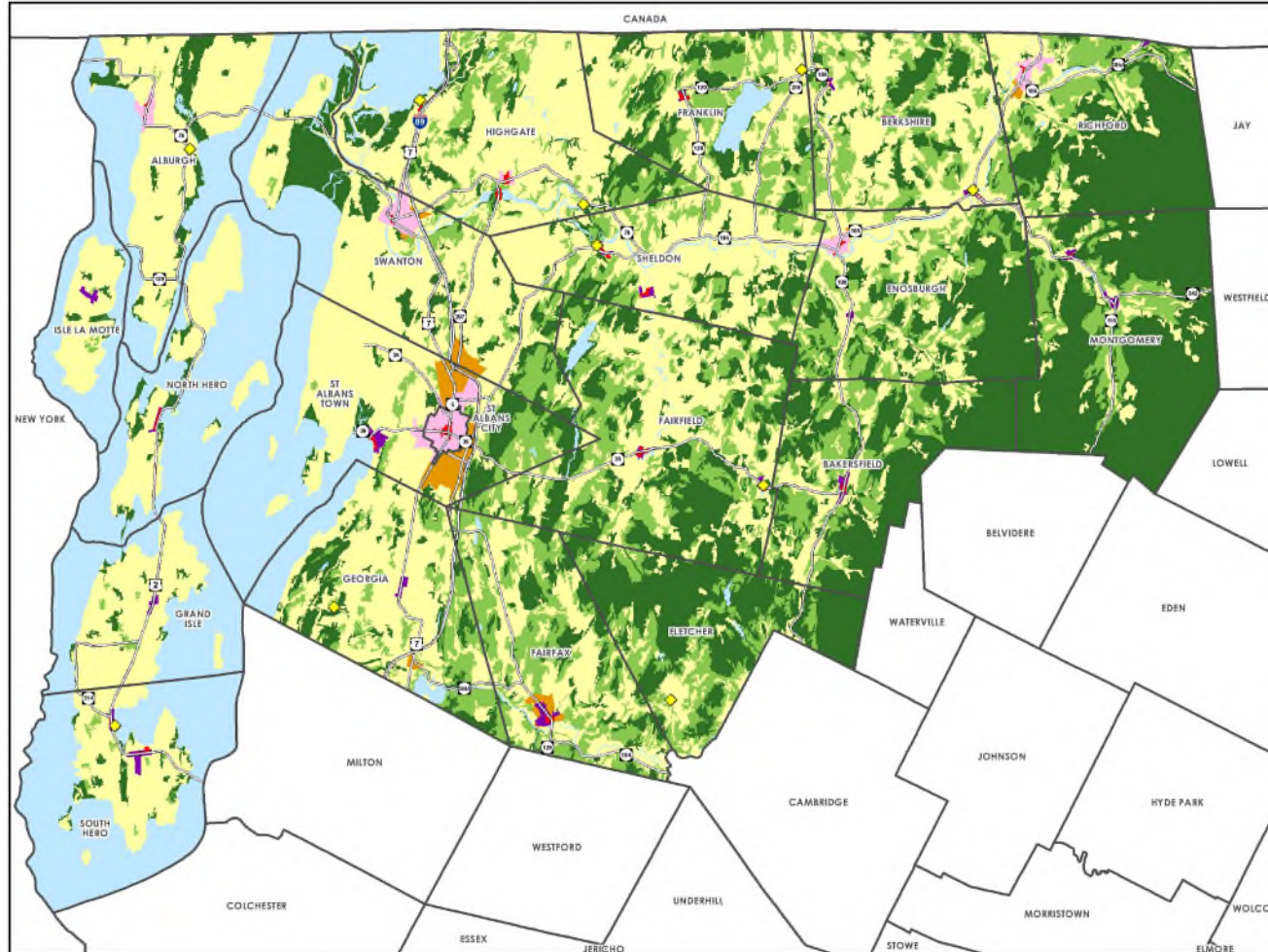
Consistent Future Land Use Areas (pp 7-8)

➤ Rural – Conservation

- Areas intended to be conserved often with regulations or State or non-profit purchase of property rights limiting development, fragmentation, and conversion in order to maintain ecological health and scenic beauty.
- These lands have significant ecological value, and require special protection due to their uniqueness, fragility, or ecological importance.
- May include protected lands, areas with specific features like steep slopes or endangered species, wetlands, flood hazard areas, and shoreline protection areas, and are intended to remain largely undeveloped for the benefit of future generations. Some portion of managed forest land will likely fall into this category. The mapping of this area is intended to help meet requirements of Act 171 and Act 59.



Draft Northwest RPC FLU Map



NORTHWEST REGION DRAFT Future Land Use

- Legend**
- Hamlets
 - Downtown/Village Centers
 - Planned Growth Areas
 - Village Areas
 - Transitional
 - Rural - General
 - Rural - Agricultural and Forestry
 - Rural - Conservation
 - Surface Water



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For Planning Process Only
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 Planning and Zoning Commission



Regional Plan Review (p. 9)

1. Draft Regional Plan Development and Approval – Develop in consultation with member municipalities; community members, including marginalized and under-represented residents; State Agencies. Document compliance with statutory requirements. The RPC will hold two public hearings in their region consistent with current statute. After consideration of the comments received at both public hearings, the RPC will adopt their regional plan.
2. State Approval – The majority of VAPDA recommends that regional plans be confirmed or approved by a state entity (updated Downtown Development Board or an enhanced Natural Resources Board) at least every eight (8) years. Major criteria in the approval should be the land use (includes conservation), housing, and flood resilience elements.
3. Accountability: There should be consequences of not following statute. If an RPC does not bring their plan into compliance, they should be provided a reasonable amount of time (up to 18 months depending upon what needs to be revised) to correct before any RPC member municipalities lose benefits related to State Designations, Act 250, or State infrastructure investments.



State Designation Program (pp. 9-10)

1. VAPDA envisions the State requiring RPCs to delineate the areas within municipalities that will be used in an updated State Designation Program. The Draft Designation Study recommends three designation areas: Core, Neighborhood, and Development-Ready. We concur with their recommendations that the boundaries for the Core and Neighborhood areas would be included in a regional plan's future land use map and serve as the basis for approval of the boundaries by the Downtown Board. We understand that all municipal designation boundaries in a region would be approved at one time.
 - Core – Same as RPC Downtown/Village Centers
 - Neighborhood – Same as Planned Growth Areas and Village Areas
 - Development Ready – same as above if their bylaws and procedures meet criteria for Natural Resources Board to confirm that Act 250 is not necessary
- There should be a new or enhanced state permit program for river corridors/floodplains and multi-modal transportation.





Act 250 (pp. 10-11)

1. Tier 1A and 1B – Downtown/Village Centers and Planned Growth Areas - All or portions of these areas that meet State criteria (good planning and bylaws with adequate infrastructure) and are reviewed by the enhanced Natural Resources Board to determine if State oversight is no longer needed.
 - Statute should be revised to provide for state review of river corridors/floodplains and transportation (especially Act 145 requirements for transportation fees) before a municipality issues final permit.
 - There needs to be a process for a property owner to extinguish Act 250 jurisdiction and transition any remaining relevant Act 250 conditions to municipal jurisdiction when seeking a new permit.
2. Tier 2 (portion)- Planned Growth Areas, Village Areas, Recreation Areas (walkable communities) - Where Act 250 remains, trails/paths should be excluded from state review.
3. Tier 3 - Rural- Conservation – These areas should be under Act 250 jurisdiction and may have a lower jurisdictional threshold and/or a higher standard of review. The RPCs can support the mapping of these areas through the update of our Regional Plans working with technical assistance and guidance from ANR. This area may initially be defined by constraint mapping done as part of Act 174 for Regional Enhanced Energy Plans as well as Act 171 and Act 59 criteria.

State capital investment planning (p. 12)

For each FLU Area, we offer the following types of State investment that should be prioritized. One major issue we would like to see addressed is a revised process for water and wastewater investments to make it easier for municipalities to obtain funding and approval. This is foundational to achieving many of the State's goals.

1. Downtown/Village Centers, Planned Growth Areas, Village Areas, Recreation Areas (walkable communities) - Water, wastewater, stormwater, sidewalks, paths/trails, complete street elements, transit, EVSE, urban trees, state offices, schools, housing, tax increment financing, historic preservation and adaptive reuse. Consideration of climate resilience is critical.
2. Transition/Infill Areas, Resource-based Recreation Areas - Water, wastewater, stormwater, sidewalks, paths/trails, complete streets, housing, transit, EVSE. Consideration of climate resilience is critical.
3. Rural-All – Clean water, working lands, conservation easements, paths/trails.



Equitable engagement (p. 13)

When drafting regional plans that guide land use, inclusive community participation is important to eliminate racism and discrimination and achieve better outcomes. Consistent with Act 154 Environmental Justice Law.

- Drafting of the plan should allow for multiple opportunities for review of potential impacts on marginalized communities.
- Overly complicated language and regulations should be avoided. Planners should speak to the community in the language(s) they understand and use clear and objective, equity-based standards, and review criteria.
- Although there are nearly always capacity constraints, the community engagement process should not overburden the community members who already face barriers to engaging with decision-making, while also allowing those same community members to have a voice in how Future Land Use Maps are developed. Achieving this will require that any engagement effort or activity is made accessible through providing services such as transportation, translation, and childcare. Food should be provided, and stipends whenever possible. Venue locations should be carefully selected while considering what spaces may or may not be inviting depending on lived experiences or generational trauma.





Implementation timeline (p. 14)

Below are initial recommendations for the sequencing and scheduling of activities needed to properly implement the proposed changes described above.

Action – Responsible Party	Timeframe or deadline
Training, Education and Engagement –RPCs, NRB, and DHCD should collaborate on training and engagement for residents, municipalities, RPCs, NRB, District Environmental Commissions, State agency staff, developers, and other interested parties.	7/24-6/26
RPCs refine future land use criteria guidance	12/31/24
Updated State Designation Guidance – DHCD	6/30/25
Updated Act 250 Rulemaking as required – NRB	6/30/25
ANR provide guidance to RPCs on Conservation areas – Tier 3	6/30/25
RPCs update regional plan future land use elements including equitable engagement process.	6/30/26 or 6/30/27



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For more information, visit:

 VAPDA.org