

Land Use Planning in Vermont

Presentation to the House Committee on
Natural Resources, Fish and Wildlife





If you fail to plan, you are planning to fail.



Why plan?



Planning as a Tool



Planning as a Process



BOLTON

Planning Framework



John Dillon

1921

Local Plans & Commissions

No. 107.—AN ACT TO PROVIDE FOR PLANNING COMMISSIONS IN CITIES, TOWNS AND VILLAGES.

[H. 111]

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

SECTION 1. *Creation and membership.* Any city, town or incorporated village is hereby authorized to create a

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PUBLIC ACTS

[No. 107

commission to be known as the municipal planning commission, by resolution of the voters at the annual city, town or village meeting or at a special meeting duly warned for the purpose.

When such a commission is created, it shall consist of five persons. The mayor, chairman of the board of selectmen, president of the village or chairman of the board of village trustees, as the case may be, shall be ex officio one of the members of the commission during his term of office. The other four commissioners shall be appointed in cities, by the mayor; in towns, by the board of selectmen; and in villages, by the village trustees. Said appointed commissioners shall be appointed for the term of four years, except that when the commission is created, one commissioner shall be appointed for a term of four years, one for a term of three years, one for a term of two years, and one for a term of one year. Any appointment to fill a vacancy shall be for the unexpired term.

SEC. 2. *Expenses; assistance; reports.* The body creating a municipal planning commission shall, by ordinance or resolution, provide what compensation, if any, each of such commissioners shall receive for his services. The commission shall have authority to employ such expert and clerical assistance as may be necessary to accomplish the purposes for which it was created, provided that the total cost for the same shall not exceed the appropriation that may be made by the city, town or incorporated village for the use of said commission. Each city town or incorporated village is hereby authorized to make such appropriations as it may see fit for such compensation and assistance, such appropriation to be made by those officers or bodies in such city, town or incorporated village having charge of the appropriation of the public funds.

The commission shall make an annual report to the body which created it.

SEC. 3. *Powers.* The commission shall have power except as otherwise provided by law:

1. To prepare or acquire a comprehensive plan for the future development of the city, town or incorporated village which shall be based primarily upon convenience, utility and public welfare.

When said plan shall be adopted by the voters of a city, town or incorporated village at the annual city, town or village meeting or at a special meeting duly warned for the purpose, it shall be known and designated as the official municipal plan; and no highway, street, bridge, viaduct, park, playground, square, statue, monument, street fixture, park fixture, sewerage system, water system, public building, or any other public improvement proposed to be erected

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or constructed wholly or in part from public funds and not included in said plan as adopted by the municipality, shall be authorized to be erected or constructed within the municipality until the location of the same has been submitted to the planning commission for its approval or disapproval.

Said plan shall be deemed to be approved by the commission if reasons for disapproval are not transmitted to the city council, selectmen, or village trustees as the case may be, within thirty days after they are received by the commission. In case of disapproval, the commission shall transmit its reasons for disapproval in writing to the city council, selectmen or village trustees who may, by a majority vote, overrule such disapproval.

2. From time to time to prepare and recommend to the proper officers of the municipality such amendments to the official municipal plan as in its judgment shall be necessary or desirable.

3. To recommend to the governing authority of the municipality such ordinances, resolutions or bylaws for the division of the municipality into districts or zones based upon the height, ground area and use of buildings and structures as may be consistent with existing law.

SEC. 4. This act shall take effect from its passage.
Approved February 22, 1921.

This

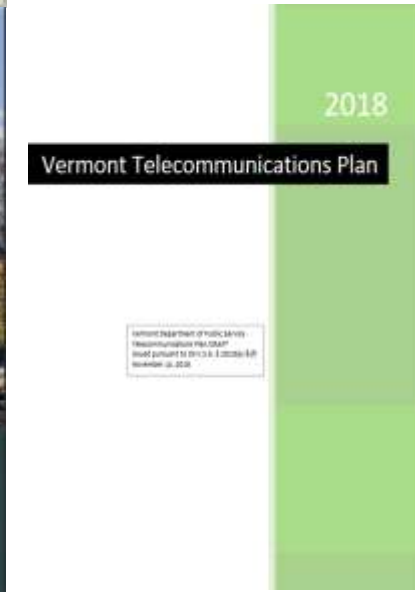
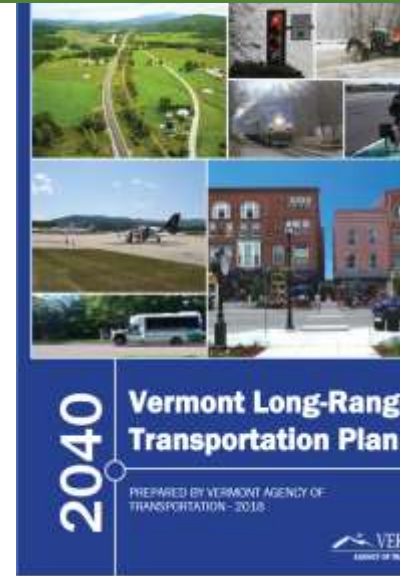
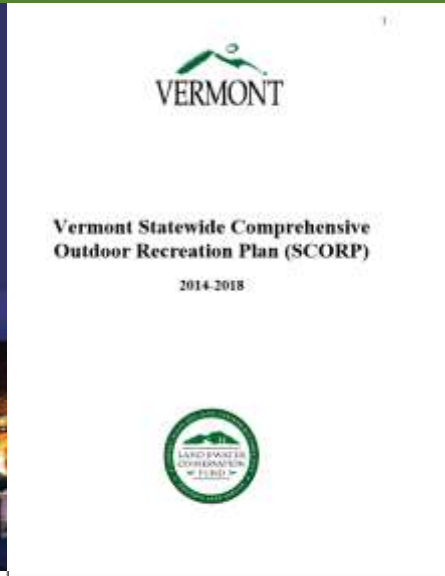
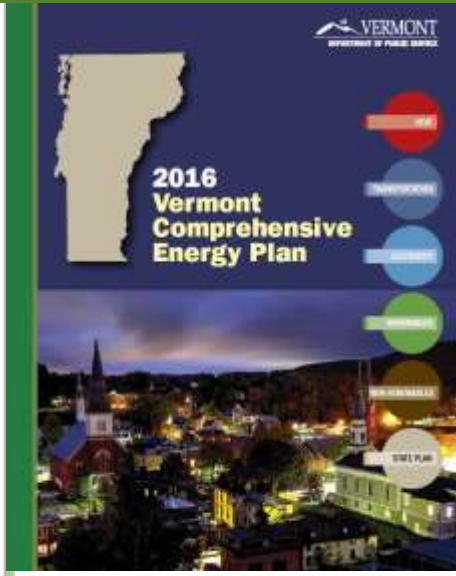
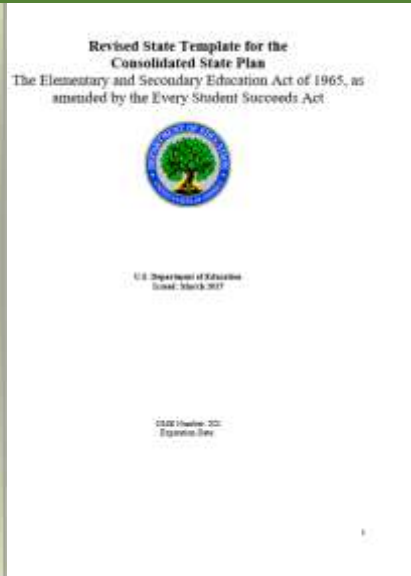


Not This



“The traditional rural scene in Vermont, characterized by **concentrated settlement in villages and open countryside dotted with farms, is disappearing.** The sharp distinction between village and countryside is blurring throughout the state. Highways between towns are becoming ribbons of residential and commercial development.”

State Planning



Coordinated Planning



State Planning Goals

The state has 14 specific planning goals.



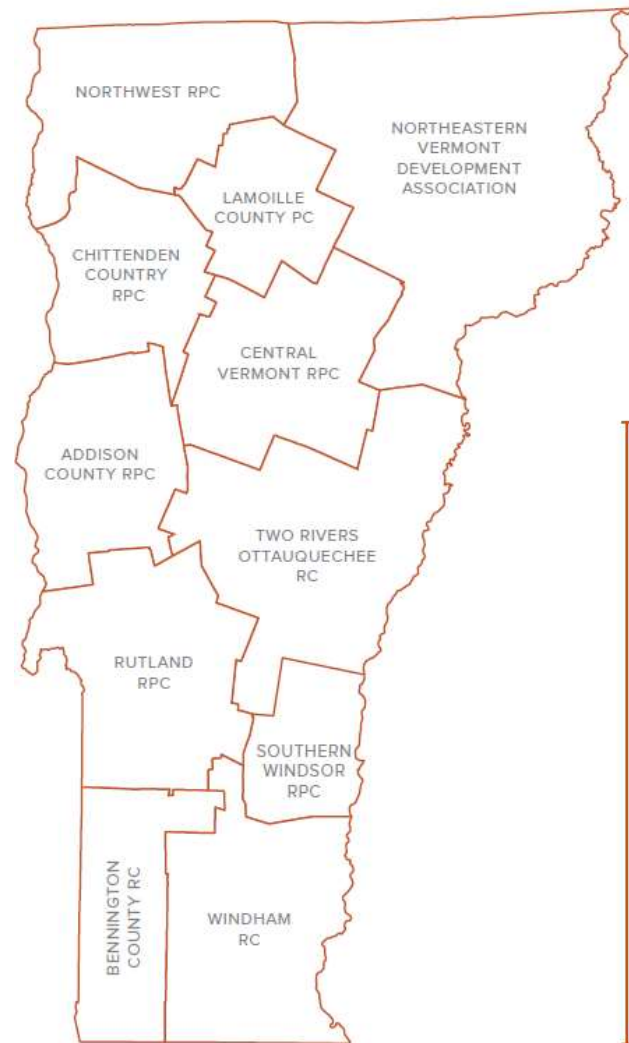
Regional Plans

Regional plans must be consistent with the state planning goals.



Municipal Plans

In order to have a regionally approved plan, municipal plans must be compatible with the regional plan and consistent with the state planning goals.



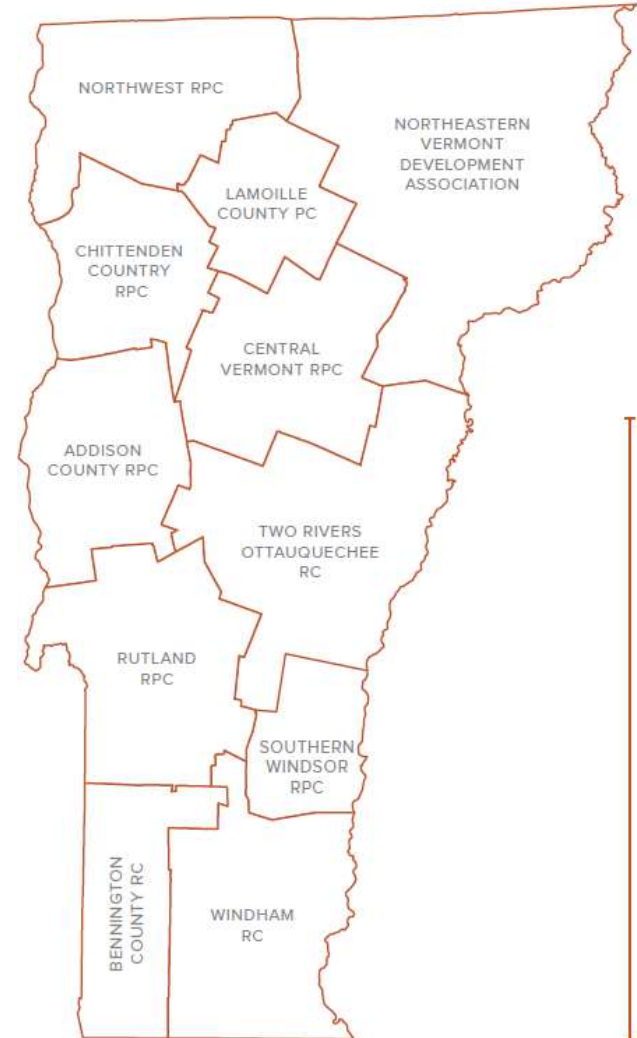


Regional Planning

11 Regional Planning Commissions (RPC)

RPCs must adopt regional plans

- 11 required plan elements
- 8 year expirations
- Must be consistent with 14 state goals
- Regulatory authority (Act 250) & substantial deference from the Public Utilities Commission (PUC) if enhanced by Public Service Board (PSB) (Section 248)



Municipal Planning

12 required plan elements

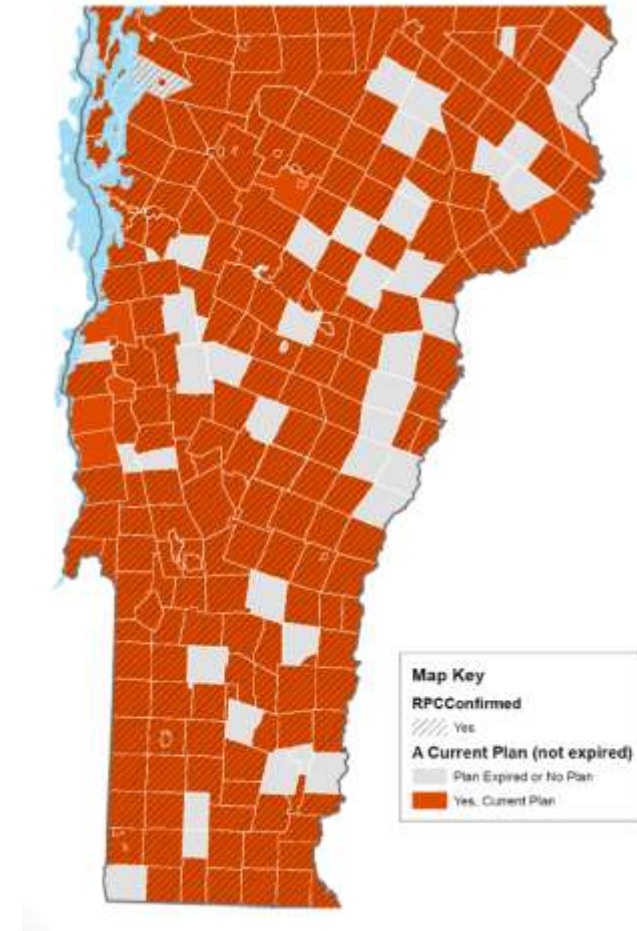
8 year expirations

Is optional.

An optional approval by RPC opens:

- State Grants
- Designation eligibility
- Act 250 Criterion 10 Consideration
- Conduct Local Act 250 Reviews

Plan may also be enhanced by RPC for substantial deference by the PUC



Plan Adoptions 2017, DHCD

Elements of a Plan

A municipality may plan; if does it must include:



Public Participation

“**When** it comes to planning, if **you’re** not doing it with people - they think you are doing it to them.”

Roger Millar, AICP
National Complete Streets Coalition



Implementation = Not Optional

Act 90 of 2016 (H.367)

Requires that the municipality document that it is actively engaged in implementation of the plan in order to retain confirmation.



Implementation Tools

Regulatory

Zoning

Subdivision

Unified Regulations

Official Maps

Flood Hazard

Impact Fees

Non-Regulatory

Capital Budget & Program

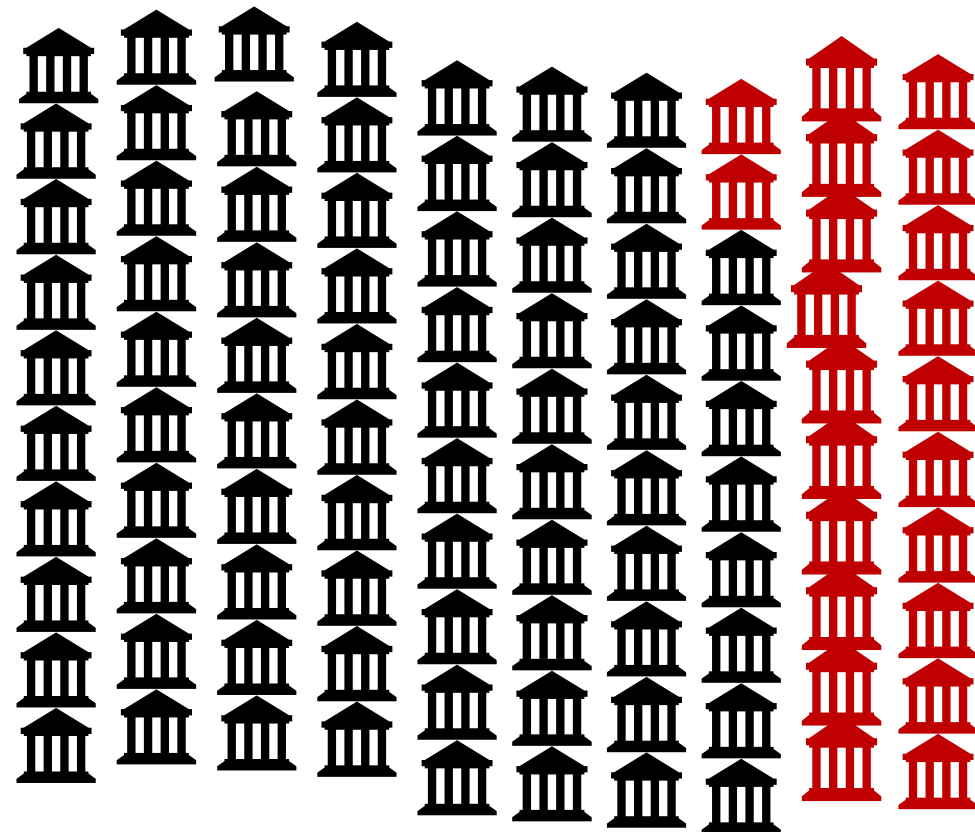
TIF

Tax Stabilization

Advisory Commissions

State Designation

Municipal Regulation



78% of municipalities regulate land use.
(Jan 2019)

The Planners



VOLUNTEERS

5000

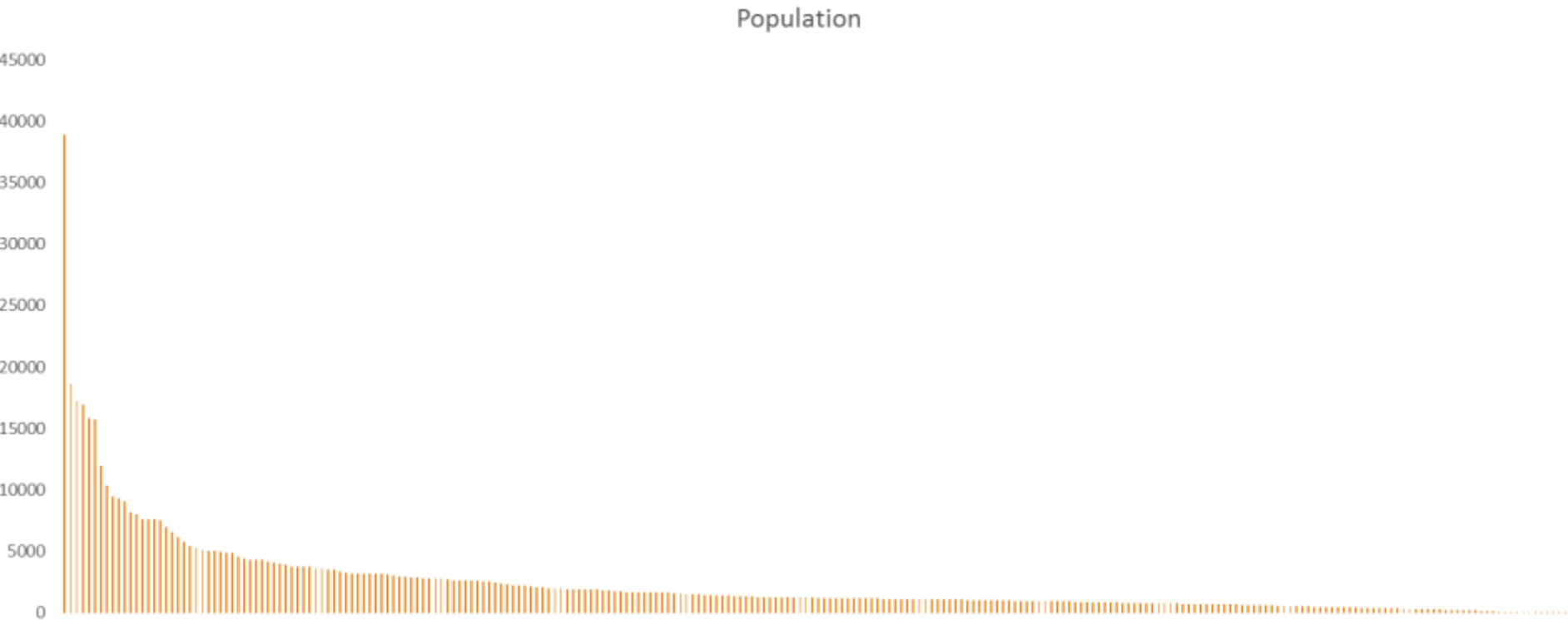


\$90

Billion

Property Value

Population of Vermont Towns



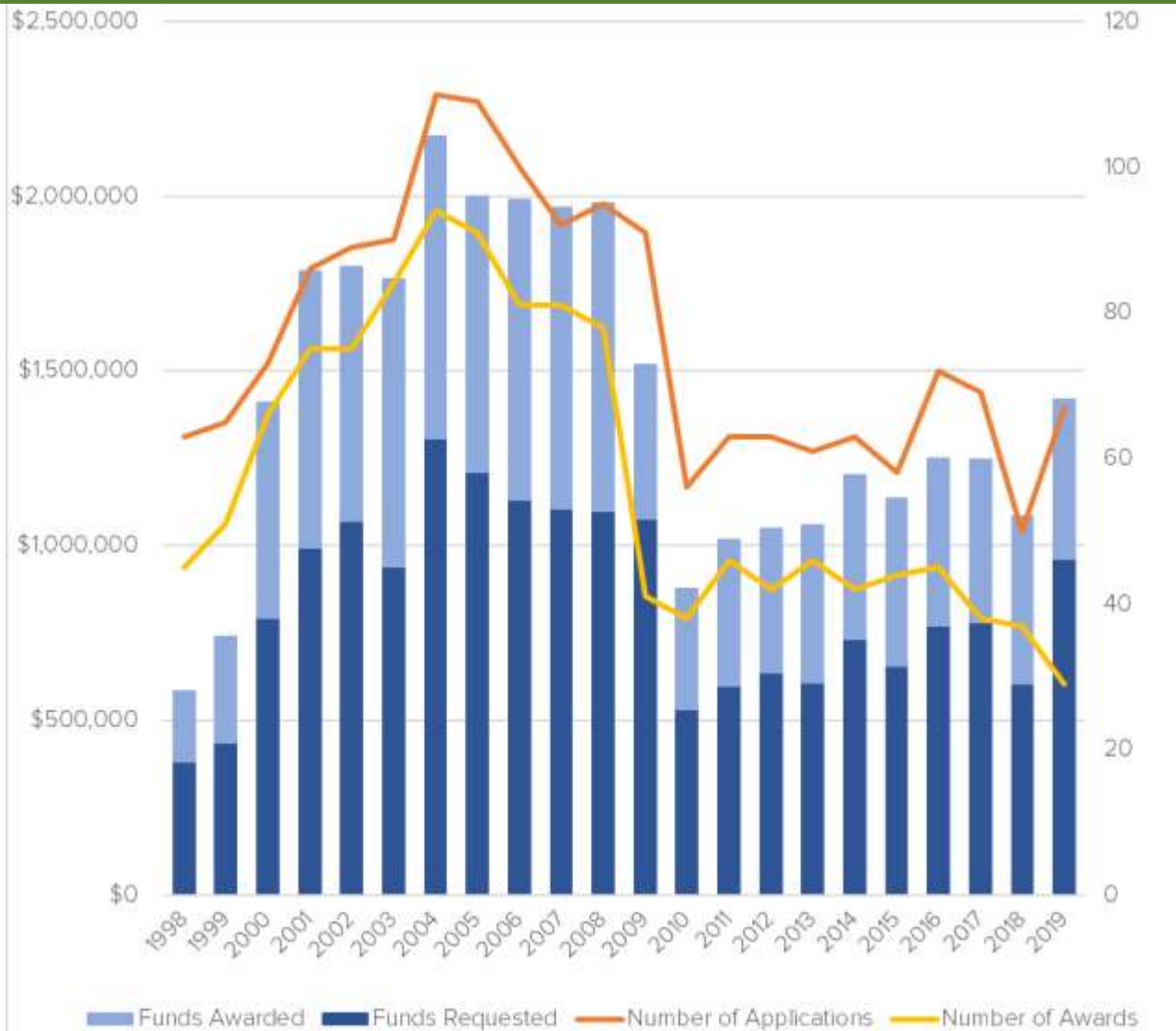
Population of Vermont Towns

Population



Median Population: 1,222

Resources





The Municipal Plan

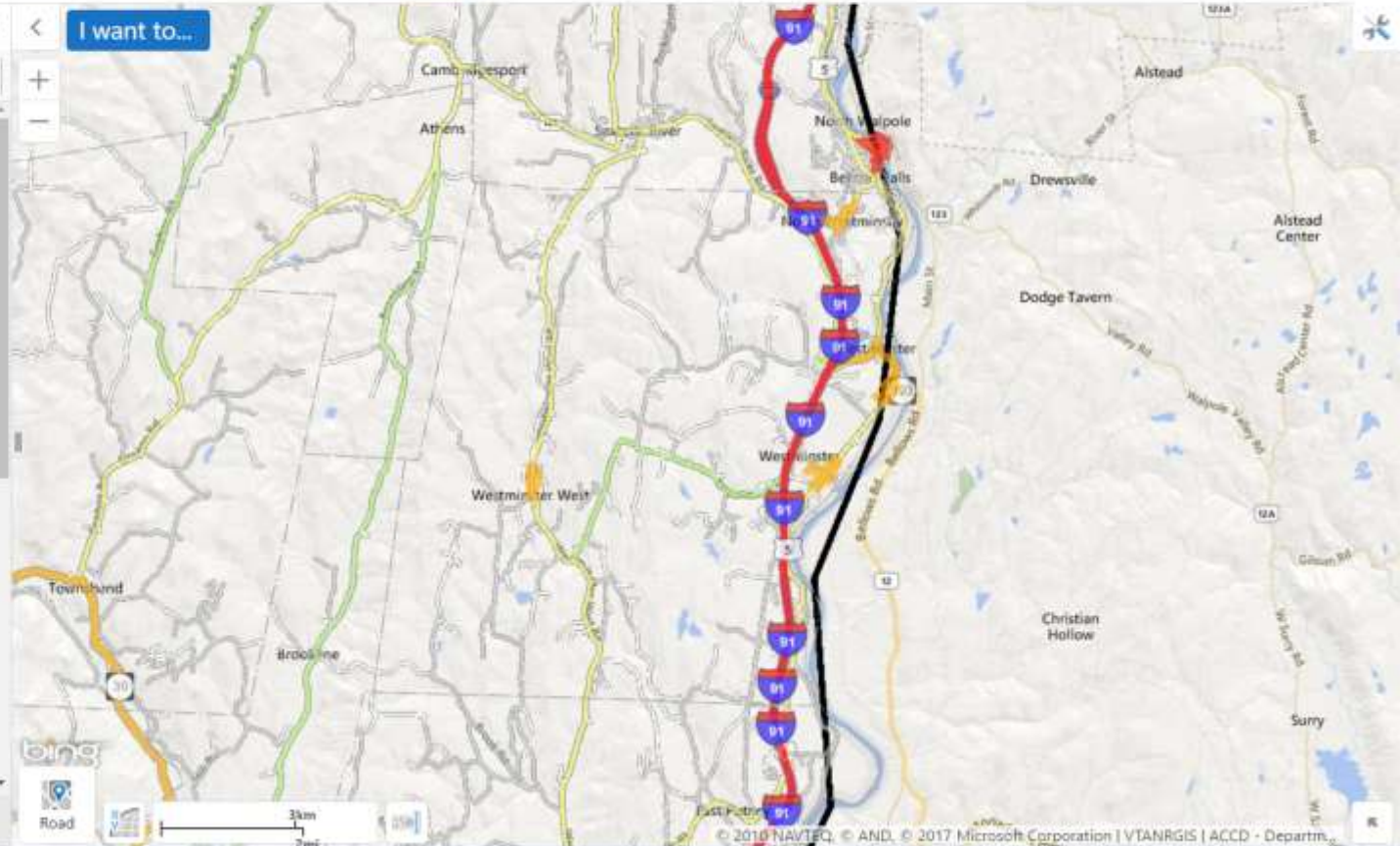
State Planning Manual - Module 1
December 2016





westminster

- Layers
- Planning Resource Atlas
- Designations, Town Plans & Bylaws
 - Designated Downtown
 - 0.5 mile downtown planning buffer
 - Village Centers
 - 0.25 mile village planning buffer
 - Growth Center
 - New Town Centers
 - Neighborhoods
 - Town Plan & Bylaws
 - Municipal Planning Grant Project
 - TIF District Boundaries (uncertified)
 - Boundaries
 - Natural Resources and Physical Features
 - Transportation
 - Roads



“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. Chapter 117
§ 4302. Purpose; goals



Impact



Challenges

