

EXCERPT: INITIAL VERMONT CLIMATE ACTION PLAN

Cross-Cutting Pathways, pp. 222-224

<https://outside.vermont.gov/agency/anr/climatecouncil/Shared%20Documents/Initial%20Climate%20Action%20Plan%20-%20Final%20-%202012-1-21.pdf>

NOTE: **emphasis added**

Strategy 2: Update state and local land-use governance, regulations, and practices to remove barriers to compact settlement and improve coordination on land use issues across agencies, departments, municipalities, boards, commissions, and authorities.

For the past 50 years, Governors, state agencies, the General Assembly, non-profit advocacy groups, regional entities, and cities and towns have worked collectively and intentionally to strengthen Vermont's downtowns and villages and the state's historic settlement pattern of compact centers surrounded by farms and forest lands. The dramatic turnarounds of downtowns like St. Albans, Bennington, White River Junction, and St. Johnsbury and in villages like Newbury, Albany and Putney are the results of many years of thoughtful and incremental actions. These resulting partnerships, networks, and policy frameworks create a strong foundation to help communities adapt to a changing climate and become more sustainable, affordable, equitable, and prosperous. A thoughtful review and objective assessment of Vermont's land use planning and regulatory framework is necessary to understand what key policies can be implemented statewide and in a timely manner.

Based on the outcome this assessment, policymakers can modernize the state's existing framework of regulations and incentives to not only strengthen Vermont's brand, economy, and communities -- but drive down emissions, expand equity and environmental justice, prepare communities for warmer and wetter weather, and remove the carbon already in the atmosphere. Because local plans and plan implementation are left to the option of municipalities, including whether or not to have a plan, some critical land use policies, especially those related to life and safety, may need to be implemented at the state level.

Actions

a. Hire a consultant to review and assess the state designation programs that recognize and support Vermont's compact settlement areas.

b. Encourage the Legislature to authorize the creation a multi-stakeholder committee process with funding to support the development of a statewide land use planning policy and implementation plan that guides development to growth areas, town centers, and appropriate rural locations, and limits the development within ecologically sensitive/risk prone areas. The Legislature should clarify how and if this plan informs or directs land use planning, policy and regulation at the local, regional, and state level.

c. If a statewide land use planning policy and implementation plan is authorized, explore creation of a State Planning Office and/or other potential structures within the executive branch to implement the Plan at the state level.

d. Create a State-wide redevelopment authority to bank land, underwrite acceptable risk, address blight, vacancy, and brownfields, improve building flood resilience in settled areas, and plan for new neighborhood development and infrastructure.

e. Prioritize public funding for mixed-use developments near transit hubs in regional and rural centers.

f. Provide enhanced technical assistance and support to municipalities and regions, including outreach and education for landowners and community members, to develop and implement town plans intended to maintain forest blocks and connecting habitat as authorized by Act 171, and effective zoning and subdivision bylaws to maintain forest blocks and connecting habitat. Because forest and habitat blocks do not end at state and national boundaries, support engagement in interstate and bi-national forest block and habitat connectivity efforts such as the Staying Connected Initiative at both the state and regional levels.

g. Update Act 250 to promote compact settlement by:

i. waiving the mitigation fees for prime agricultural soils for alternative or community wastewater systems that will serve a state designated center.

ii. removing the population-based caps on the Act 250 exemption for priority housing projects

iii. including criteria that better address climate change, forest fragmentation and forest loss, to incentivize growth in the state's designated centers and better address the specific challenges to working lands enterprises;

iv. updating its governance, staffing, public engagement, and the role of State Agency permits in the Act 250 process to create the enterprise capacity necessary to implement new climate related criteria and respond to future land use pressure from climate change and in-migration of climate refugees.

v. removing Act 250 jurisdictional thresholds for housing development within and immediately adjacent to certain state designated centers to incentivize compact, dense settlement in areas with adequate local land use laws and existing infrastructure, reducing development pressures on open spaces such as greenfields and forested locations. These centers should grow in a manner by which walking and biking are preferred means of mobility, and mobility infrastructure should be designed for universal accessibility.

h. Amend Neighborhood Development Area (NDA) enabling statute to allow the inclusion of river corridors upon local adoption of River Corridor bylaws.

i. Create an office of Strategic Investment and Coordination that supports achievement of land use planning goals by aligning and resolving conflicts in state and local regulations and funding and provides a permitting platform from both the customer and policy objective perspective.

j. Align development regulations and remove financial barriers to compact development in and around downtowns and village centers (i.e., Act 250, local zoning, aging infrastructure, etc.). Provide statewide guidance and incentivize housing in built up areas to encourage development away from open fields and forests, and river corridors.